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Regulations

TITLE 7—AGRICULTURE

Chapter IX—Marketing Agreements and Orders

PART 961—MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING OF MILK IN THE PHILADELPHIA, PA., MARKETING AREA

§ 961.0 *Findings and determinations*—(a) *Findings*. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, Cum. Supp., 900.1-900.17; 7 F.R. 3550; 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. Upon the basis of evidence introduced in such hearing and the record thereof, it is hereby found that:

1. The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

2. The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk. The minimum prices specified in the said order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

3. The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as

and is applicable only to persons in the respective classes of industrial and commercial activity specified in the tentatively approved marketing agreement upon which a hearing has been held.

(b) *Determinations*. It is hereby determined that handlers of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

1. The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

2. The issuance of this order further amending the aforesaid order, as amended, is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

3. The issuance of this order further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of the order, and who, during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Philadelphia, Pennsylvania, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

First. Change paragraph (a) (2) of § 961.1 to read:

(2) The term "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is, or who may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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§ 961.1 and substitute therefor the following proposed subparagraphs (5), (6) and (7), and renumber subparagraphs (6) and (7) as (8) and (9), respectively.

(5) The term “producer” means any person, irrespective of whether such person is also a handler, who produces milk which is received directly at a producer milk plant.

(6) The term “producer milk plant” means:

(i) A plant listed below:

Handler operating Jan. 1, 1945	Plant location
Abbotts Dairies, Inc.....	Curryville, Pa.
Abbotts Dairies, Inc.....	Easton, Md.
Abbotts Dairies, Inc.....	Goshen, Pa.
Abbotts Dairies, Inc.....	Oxford, Pa.
Abbotts Dairies, Inc.....	Port Allegany, Pa.
Abbotts Dairies, Inc.....	Spring Creek, Pa.
Bedminster Dairymen's Assn.	Bedminster, Pa.
Breuninger Dairies.....	Richlandtown, Pa.
Cooklyn Milk Co.....	Goldsboro, Md.
Galley Ice Cream Co.....	Delta, Pa.
Gardenville Dairymen's Assn.	Gardenville, Pa.
Greentree Creamery Assn.	Obelisk, Pa.
Hansell, A. R.....	Mainland, Pa.
Harbisons Dairies, Inc.....	Brandtsville, Pa.
Harbisons Dairies, Inc.....	Byers, Pa.
Harbisons Dairies, Inc.....	Carlisle, Pa.
Harbisons Dairies, Inc.....	Hurlock, Md.
Harbisons Dairies, Inc.....	Massey, Md.
Harbisons Dairies, Inc.....	Millville, Pa.
Harbisons Dairies, Inc.....	Sudlersville, Md.
Hernig, Peter, Sons, Inc.	Boiling Springs, Pa.
Montg.-Berk Dairy Co., Inc.	Boyetown, Pa.
Penn-Reed Milk Co.....	Bellefonte, Pa.
Philadelphia Dairy Prod. Co., Inc.	Biglerville, Pa.
Philadelphia Dairy Prod. Co., Inc.	Clayton, Del.
Philadelphia Dairy Prod. Co., Inc.	Fairdale, Pa.
Philadelphia Dairy Prod. Co., Inc.	New Holland, Pa.
Philadelphia Dairy Prod. Co., Inc.	Pottstown, Pa.
Philadelphia Dairy Prod. Co., Inc.	Snow Hill, Md.
Philadelphia Dairy Prod. Co., Inc.	York Springs, Pa.
Shearer, Paul B., & Co.	Centerport, Pa.
Supplee - Wills - Jones Milk Co.	Bedford, Pa.

Handler operating plant Jan. 1, 1945	Plant location
Supplee - Wills - Jones Milk Co.	Chambersburg, Pa.
Supplee - Wills - Jones Milk Co.	Hagerstown, Md.
Supplee - Wills - Jones Milk Co.	Harrington, Del.
Supplee - Wills - Jones Milk Co.	Huntingdon, Pa.
Supplee - Wills - Jones Milk Co.	Leaman Place, Pa.
Supplee - Wills - Jones Milk Co.	Lewistown, Pa.
Supplee - Wills - Jones Milk Co.	Mercersburg, Pa.
Supplee - Wills - Jones Milk Co.	Mt. Pleasant, Del.
Supplee - Wills - Jones Milk Co.	Princess Anne, Md.
Supplee - Wills - Jones Milk Co.	Townsend, Del.
Supplee - Wills - Jones Milk Co.	Worton, Md.
Turner & Wescott.....	Glenroy, Pa.

which is operated by a handler except (a) during such period of time as any such plant has been stopped by the Pennsylvania Department of Health from shipping milk or cream for consumption as fluid milk or fluid cream, or (b) during any month when no milk or cream is disposed of in the marketing area from such plant either directly or by movement through another plant or plants, if the handler has notified the market administrator 5 days or more prior to such month that it is no longer a part of his supply for the marketing area and if no milk or cream has been shipped from it to the marketing area for the 3 months next preceding such month; or

(ii) A pasteurizing or bottling plant from which milk is disposed of as Class I milk in the marketing area to persons other than handlers; or

(iii) Any other plant from which milk is supplied to a pasteurizing or bottling plant described in (ii): *Provided*, That any such other plant shall not be included in this definition during any month in which there is shipped from the plant only Class II milk as defined in § 961.3 or during any month in which shipments are made from the plant on less than 20 days of the month to such pasteurizing or bottling plant or to a plant or plants supplying such pasteurizing or bottling plants.

This definition shall not include a plant at which a uniform price is required to be paid producers under the provisions of another marketing order of the Secretary.

(7) The term "nonproducer milk plant" means any plant other than those described under § 961.1 (a) (6).

Third. Change the words "subject to paragraph (c) and (d)" in paragraph (a) of § 961.3 to read "subject to paragraphs (c), (d), (e), and (f)."

Fourth. Delete paragraphs (b), (c), and (d) of § 961.3 and substitute (b), (c), (d), (e) and (f), as follows:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk (i) sold, distributed, or disposed of as or

in milk, skim milk and flavored milk drinks for fluid consumption containing less than 18 percent butterfat, and including all milk or skim milk disposed of from a handler's plant to retail establishments which dispose of milk for both fluid and other uses, and (ii) all other milk not accounted for as Class II.

(2) Class II milk shall be (i) all milk disposed of in products other than those included in § 961.3 (b) (1) (i), and (ii) all milk accounted for as actual plant shrinkage but not to exceed 2 percent of the total pounds of milk, skim milk, and cream received by a handler at all of his producer milk plants.

(c) *Transfers of milk.* Milk and skim milk containing less than 18 percent butterfat, transferred from a producer milk plant to another handler's producer milk plant or to a nonproducer milk plant, shall be allocated to Class I unless such milk or skim milk was disposed of under a written agreement submitted to the market administrator or by proof of use if the transfer is from a handler's producer plant to the same handler's nonproducer milk plant that such milk or skim milk be allocated to Class II and the receiving handler or nonproducer milk plant has used in Class II products a quantity of milk or skim milk equivalent to the milk or skim milk received during the month from producer milk plants under an agreement for classification in Class II.

(d) *Transfers of cream.* Cream containing 18 percent or more butterfat, received by a handler from a nonproducer plant, shall be considered Class II up to the amount of Class II disposed of by the handler and cream containing 18 percent or more butterfat disposed of by a handler to a nonproducer milk plant shall be considered Class II.

(e) *Allocation of milk or skim milk received at producer milk plants from nonproducer milk plants.* (1) During the months July to March, inclusive, milk or skim milk received at a producer milk plant from a nonproducer milk plant shall be allocated by the receiving handler to each of the classes and price subdivisions of each class in the same proportion as milk received from producers at all of the producer milk plants of the receiving handler during the month, except that a greater proportion of such milk from nonproducer plants may be allocated by the receiving handler to Class II and in the absence of an allocation by the handler reported to the market administrator such milk shall be allocated by the market administrator to Class II up to the amount of Class II utilized by the handler during the month.

(2) During the months April to June, inclusive, milk or skim milk received at a producer milk plant from a nonproducer milk plant shall be allocated to Class I only if the receiving handler has allocated all of the milk received from producers at all of his producer milk plants to Class I during the month.

(f) *Allocation of milk or skim milk received by a handler from a producer-handler.* Milk or skim milk received in bulk by a handler from another handler

who is also a producer and receives no milk from producers may be classified in Class I up to the same proportionate amount as such handler classifies in Class I milk received from producers who are not handlers.

Fifth. Delete part (i) under paragraph (a) (2) of § 961.4 and substitute (i) as follows:

(i) *Butterfat.* Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved either for Pennsylvania only, or for Pennsylvania, Newark, and Lower Merion Township, in the Philadelphia, Pennsylvania, market, reported for each week ending within the month by the United States Department of Agriculture (or such other Federal agency as is authorized to perform this price reporting function), divide by the number of quotations, subtract 28 cents, divide by 33.48, multiply by 4, and subtract 23½ cents but in no event shall the butterfat value be lower than an amount computed as follows: from the average of the highest prices reported daily during such month by the United States Department of Agriculture (or such other Federal agency as is authorized to perform this price reporting function) for 92-score butter at wholesale in the New York market, deduct 4 cents, add 20 percent and multiply by 4: *Provided*, That for butterfat used to make butter, the price shall be 4 times 120 percent of the average of the 92-score butter prices described above for the month for which payment is to be made, which shall be known as the "butter-value" for such butterfat, but in no event shall this butter-value be greater than the butterfat value established otherwise by this paragraph.

Sixth. Delete from the proviso in paragraph (d) of § 961.4 the words "and to Government institutions and establishments on the basis of bids" and the commas just preceding and just following such words.

Seventh. A. Insert in paragraph (a) of § 961.5 after the words "with respect to milk" a comma and the words "milk products."

B. Insert in part (v) of paragraph (a) (2) of § 961.5 after the words "or on hand" the words "at each plant."

Eighth. Insert in paragraph (a) of § 961.6 after the words "set forth in § 961.5" the words "and § 961.9."

Ninth. Delete the concluding words of paragraph (c) of § 961.8, "4 cents per hundredweight," and substitute "5 cents per hundredweight."

Tenth. Delete paragraph (d) of § 961.8 and substitute (d) as follows:

(d) *Location differentials.* In making payments pursuant to paragraph (a) of this section each handler shall deduct from payments to producers delivering milk to a plant located in a mileage zone set forth in § 961.4 (c) a differential equal to the percentage of the pounds of all milk received from producers at all of the producer milk plants of the handler which was used in Class I times the Class I differential rate pursuant to § 961.4 (c) at such plant plus the per-

centage of Class II at the Class II rate pursuant to § 961.4 (c).

Eleventh. Delete paragraphs (f) and (g) of § 961.8 and insert paragraph (f) as follows:

(f) *Premium for Grade A milk.* In addition to the uniform price and all other payments required pursuant to this section, each handler shall pay for milk, which he has designated as qualified under the Commonwealth of Pennsylvania Department of Health or the New Jersey Department of Health requirements for sale as Grade A milk and which is delivered to a plant similarly qualified (so long as such requirements are in effect as a separate grade), 40 cents per hundredweight of Grade A milk received from producers of 10,000 bacteria or less per c. c. and 25 cents per hundredweight of Grade A milk received from producers of more than 10,000 but less than 25,000 bacteria, times the ratio of such milk sold as Grade A either in fluid form or as products manufactured from Grade A milk to the total quantity of Grade A milk received from producers, plus 2 cents for each one-tenth of 1 percent that the butterfat content is above 3.7 percent. In addition to the above payments each handler shall add to the value of his milk computed pursuant to § 961.7 (a), 40 cents per hundredweight of milk sold by a handler as Grade A in excess of the milk received from designated Grade A producers for whom the handler has maintained adequate laboratory records which qualify such producers for the 40-cent or 25-cent premiums described in this paragraph.

Twelfth. Change paragraph (a) of § 961.9 to read as follows:

(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, on or before the 20th day after the end of each month shall pay to the market administrator, with respect to all milk received by such handler directly from producers, and all milk received from nonproducer milk plants which is allocated to Class I under § 961.3 (e), an amount not exceeding 2 cents per hundredweight, the exact amount to be determined by the market administrator subject to review by the Secretary.

Thirteenth. Add § 961.11 as follows:

§ 961.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C. this 31st day of July 1945, to be effective on and after the 1st day of September 1945.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

Approved: August 23, 1945.

WILLIAM H. DAVIS,
Director of Economic Stabilization.

[F. R. Doc. 45-15997; Filed, Aug. 27, 1945; 3:18 p. m.]

Chapter XI—War Food Distribution Orders

[WFO 116, Termination]

PART 1470—FOOD STORAGE FACILITIES

ALLOCATION OF FREEZER SPACE AND PRIORITY OF DELIVERY

War Food Order No. 116, as amended (9 F.R. 12406, 10 F.R. 233), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., August 28, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 116, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 27th day of August 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-15996; Filed, Aug. 27, 1945; 3:18 p. m.]

[WFO 120, as Amended, Termination]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS RELATIVE TO IRISH POTATOES

War Food Order No. 120, as amended (9 F.R. 14475; 10 F.R. 103, 126, 1823), is terminated as of 12:01 a. m., e. w. t., August 29, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120, as amended, prior to the effective time of this termination order, all provisions of said War Food Order No. 120, as amended, in effect prior to the effective time of this termination order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 27th day of August 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16054; Filed, Aug. 28, 1945; 11:09 a. m.]

[WFO 119, as Amended, Partial Suspension]

PART 1414—POULTRY

POULTRY AND PROCESSED POULTRY

The provisions of §§ 1414.6 (b) (1) to (9), inclusive, 1414.6 (c) (1), 1414.6 (d) (1) to (3), inclusive, and 1414.6 (e) (1) and (2) of War Food Order No. 119, as amended (9 F.R. 14269; 10 F.R. 6, 103), are hereby suspended, effective as of 12:01 a. m., e. w. t., August 27, 1945, and until further notice.

With respect to violations, rights accrued, liabilities incurred, or appeals

taken under any of the suspended sections of said War Food Order No. 119, as amended, prior to the effective time of this suspension, the provisions of the said suspended sections of said War Food Order No. 119, as amended, in effect prior to the effective time of this suspension shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 25th day of August 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-15999; Filed, Aug. 27, 1945; 3:21 p. m.]

[WFO 125, as Amended, Termination]

PART 1414—POULTRY

POULTRY

War Food Order No. 125, as amended (10 F.R. 1662, 1854, 2953, 3175, 4972, 9611), together with the orders (10 F.R. 2955, 9611) issued pursuant to said War Food Order No. 125, as amended, are terminated as of 12:01 a. m., e. w. t., August 27, 1945, but all of the eviscerated poultry set aside, or required to be set aside, at the effective time of such termination, pursuant to War Food Order No. 125, as amended, or any of the orders issued pursuant thereto as aforesaid, shall continue to be held and accounted for as set-aside eviscerated poultry and shall be disposed of pursuant to the appropriate provisions of War Food Order No. 125, as amended.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 125, as amended, and of any orders issued pursuant thereto as aforesaid, prior to the effective time of this termination order, all of the provisions of the said War Food Order No. 125, as amended, and of the said orders issued pursuant thereto in effect prior to the effective time of this termination order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 25th day of August 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-15992; Filed, Aug. 27, 1945; 12:11 p. m.]

[WFO 142, Termination]

PART 1414—POULTRY

POULTRY AND PROCESSED POULTRY

War Food Order No. 142 (10 F.R. 9768), together with the order (10 F.R. 9770) issued pursuant to said War Food

Order No. 142, are terminated as of 12:01 a. m., e. w. t. August 27, 1945, but all of the processed poultry set aside, or required to be set aside, at the effective time of such termination, pursuant to War Food Order No. 142 and the order issued pursuant to War Food Order No. 142 as aforesaid, shall continue to be held and accounted for as set-aside processed poultry and shall be disposed of pursuant to the appropriate provisions of War Food Order No. 142.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 142 and the order issued pursuant thereto as aforesaid prior to the effective time of this termination, all of the provisions of the said War Food Order No. 142 and of the said order issued pursuant thereto in effect prior to the effective time of this termination shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 25th day of August 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-15998; Filed, Aug. 27, 1945;
3:21 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 11]

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of the President, issued on November 14, 1941 (6 F.R. 5821) under authority of section 1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223 Sup.), the regulations issued on November 25, 1941, as amended, are further amended by the cancellation of paragraph (d) of § 58.3, § 58.4 and § 58.6. New paragraphs are substituted for paragraphs (b) and (c) of § 58.3 and are as follows:

§ 58.3 *Exceptions to regulations in §§ 58.1-58.2.* * * *

(b) When traveling between the United States and any country or territory in North, Central or South America or in any island adjacent thereto: *Provided*, That this exception shall not be applicable to any such person when traveling to or arriving from a place outside the United States via any country or territory in North, Central or South America or in any island adjacent there-

to, for which a valid passport is required under these rules and regulations; or

(c) When departing from or entering the United States in pursuit of the vocation of seaman; or

JAMES F. BYRNES,
Secretary of State.

AUGUST 27, 1945.

[F. R. Doc. 45-16052; Filed, Aug. 28, 1945;
10:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended August 28, 1945]

PRIORITIES ACTION BY FOREIGN ECONOMIC ADMINISTRATION

Section 903.139 Directive 27 is amended to read, as follows:

§ 903.139 *Directive 27—(a) Rating authority of the Foreign Economic Administration.* The Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(b) *Form of assignment of ratings.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of -----, Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(c) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(d) *Status of ratings assigned by F. E. A. before August 28, 1945.* This directive, as amended, does not affect the validity of preference ratings properly assigned by the Foreign Economic Administration before August 28, 1945. However, such ratings are subject to all applicable War Production Board orders and regulations.

Issued this 28th day of August 1945.

J. A. KRUG,
Chairman.

INTERPRETATION 2

LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

A rating assigned by the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license in the absence of any applicable rule or restriction set forth in an order or regulation of the War Production Board governing transactions in the material covered by the rating. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Foreign Economic Administration revokes the rating, and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid. (Issued July 5, 1944.)

[F. R. Doc. 45-16065; Filed, Aug. 28, 1945;
11:32 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, Revocation of Interpretation 1]

Interpretation 1 to Directive 27 is revoked.

Issued this 28th day of August 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16066; Filed, Aug. 28, 1945;
11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, as Amended Aug. 28, 1945]

Sec.

- 944.1 Purpose and scope of this regulation; definitions.
- 944.1a Certain defense orders rated AA-5.
- 944.1b Specific authorizations rated AA-5.
- 944.2 Rules for acceptance and rejection of rated orders.
- 944.3 Report to War Production Board of improperly rejected orders.
- 944.4 Assignment of preference ratings.
- 944.4a Cancellation of preference ratings.
- 944.5 Sequence of preference ratings.
- 944.6 Doubtful cases.
- 944.7 Sequence of filling rated orders.
- 944.8 Delivery or performance dates.
- 944.9 Report to War Production Board of improper delay of orders.
- 944.10 Effect of other regulations and orders.
- 944.10a Effect of revocation of orders and regulations.
- 944.11 Use or disposition of material acquired with priorities assistance.
- 944.12 Intra-company deliveries.
- 944.13 Scope of regulations and orders.
- 944.13a Defense against claims for damages.
- 944.14 Inventory restriction.
- 944.14a Delivery for unlawful purposes prohibited.
- 944.15 Records.
- 944.16 Audit and inspection.
- 944.17 Reports.
- 944.18 Violations.
- 944.19 Appeals for relief in exceptional cases.
- 944.20 Notification of customers.

§ 944.1 *Purpose and scope of this regulation; definitions.* This regulation states the basic rules of the War Production Board which apply to all business transactions unless they are covered by more specific regulations or orders of the War Production Board which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the War Production Board, unless otherwise indicated.

(a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) "Defense order" means:

(1) Any contract or purchase order for material to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(For status of Panama Canal and Coast Guard in general see Interpretation 1 e.)

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately

delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

[§ 944.1a Deleted August 28, 1945.]

§ 944.1b *Specific authorizations rated AA-5.* When a War Production Board order or regulation with respect to a particular material requires specific authorization for the placing of a purchase order or for delivery or acceptance of delivery, every purchase order for delivery of that material which is specifically authorized pursuant to the order is rated AA-5 unless it is otherwise assigned a higher rating or an applicable order or regulation (for example, Priorities Regulation 25) states that there is no such automatic rating. This does not apply to materials for which ratings may not be used (such as those on List A of Priorities Regulation 3), or materials for which only certain specified ratings may be used (such as those on Schedule A of M-328).

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA order) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which

cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such cases against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment or the earliest date on which he could make delivery on that rating, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and knows that he will not do so if he receives it. Any quotation as to delivery date to a person whose order has not been received will be subject to the effect on the supplier's deliveries of rated orders received by him after making the quotation and before he receives the firm order from the person making the inquiry.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchasers see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to use of facilities of controlled materials producers see Interpretation 4.)

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the

person placing the order, promptly give his reasons in writing for his failure or refusal.

(g) Some orders of the War Production Board provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the War Production Board. In addition, the War Production Board may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 *Report to War Production Board of improperly rejected orders.* When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 *Assignment of preference ratings.* Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the War Production Board assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the War Production Board, to their own purchase orders or contracts. In some cases the War Production Board will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has applied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the War Production Board which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating

which he has made to any order placed by him for more than \$25 worth of material. The War Production Board may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 5.)

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, AA-1, AA-2, AA-2X, AA-3, etc.; A-1-a, A-1-b, etc.; A-2, A-3, etc.; B-1, B-2, etc. The letter "X" after a numeral indicates that such rating is inferior to the rating of the same numeral and superior to the rating of the next numeral. (For example, AA-2X is inferior to AA-2 and superior to AA-3.) The War Production Board, after March 18, 1944, will not assign ratings below AA-5 but any such ratings which were assigned before that date may be applied or extended.

§ 944.6 *Doubtful cases.* Whenever there is doubt as to the preference rating applicable to any order, or as to whether a particular order is a defense order, the matter is to be referred to the War Production Board for determination, with a statement of all pertinent facts.

§ 944.7 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rated order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

(c) If a rated order or the rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop to put other rated orders into production if doing so would cause a substantial loss of total production. He may continue to process that material which he had put into production for the cancelled order to a stage of completion which would avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated order on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

(For the effect of changes in customers' orders, see Direction 1 to this regulation.)

For further explanations of paragraph (b) see Interpretation 1c. For an explanation of how to determine the date on which a purchase order is received, see Interpretation 12).

§ 944.8 *Delivery or performance dates.*

(a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are four exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders for maintenance, repair or operating supplies as identified by the symbol MRO or otherwise; (2) orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (3) orders for not more than \$100; (4) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order. Inability to fill the order on time or within fifteen days following the specified time does not authorize a supplier to cancel the order.

§ 944.9 *Report to War Production Board of improper delay of orders.* When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the War Production Board for delivery of material or the use of facilities must be complied with regardless

of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the War Production Board apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Defense orders or other rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.10a *Effect of revocation of orders and regulations.* (a) When an order or regulation of the War Production Board is revoked, all published amendments, schedules, appendices, and directions to that order or regulation are revoked, unless otherwise stated in the instrument revoking the order or regulation.

(b) When an order or regulation of the War Production Board is revoked, all directions, authorizations, production or delivery schedules, and other instruments, addressed to named persons and requiring or permitting them to take specific action pursuant to the order or regulation, remain in effect unless expressly revoked. There are two exceptions: (1) Where an appeal from a restriction in an order or regulation has been granted on certain conditions, or an authorization relaxing a restriction has been issued on certain conditions, and the restriction is entirely revoked, the conditions need no longer be complied with after the revocation unless compliance with those conditions is required by some other order or regulation; (2) a production or delivery schedule or other instrument telling a person what to make, or what orders to fill during a specified period, remains in effect throughout the period but, after the revocation of the order under which the schedule or other instrument was issued, he may make additional products or fill additional orders which do not interfere with it.

(c) "Suspension orders" and "consent orders" issued on the basis of a violation of orders and regulations of the War Production Board remain in effect after revocation of such orders and regulations, unless otherwise provided. If you are subject to a suspension order or consent order which you think should be lifted or modified because of the lifting of the restriction on which the violation was based, you may address a request for relief to the Chief Compliance Commissioner, War Production Board, Washington 25, D. C.

§ 944.11 *Use or disposition of material acquired with priorities assistance.* (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) When a material, or a product into which it has been incorporated, can no

longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled), the holder may use or dispose of it only as follows:

(1) If the holder acquired or made the material or product for use and not for sale or resale and is not regularly engaged in the business of selling it, a proposed sale by him is a special sale covered by Priorities Regulation 13 and he may sell or transfer it only as provided in that regulation.

(2) If the proposed sale is not one described by paragraph (b) (1), this paragraph (b) imposes no restriction on the sale. However, in such a case the holder must comply with all requirements of other applicable sections of this regulation and of other orders and regulations of the War Production Board. This is true of all such sales of any material including scrap.

(3) Whether or not he is in the regular business of selling similar materials or products, a holder may, within the limitations of paragraph (f) of Priorities Regulation 32 (inventory restriction on processing), use it himself for any purpose for which he has the necessary rating or other qualification which would be necessary for a special sale to him under Priorities Regulation 13 or directions issued under it. However, if the material or product is a controlled material or a Class A product obtained pursuant to an allotment under CMP Regulation 1, the holder may use it only in accordance with paragraph (u) of that regulation, or any applicable direction issued under it. In addition, the holder must comply with any applicable War Production Board order that requires him to get permission from the War Production Board before using any particular material or product and he may not use it in any manner or for any purpose prohibited by a regulation or order of the War Production Board. It may also be used in any other manner specifically authorized in writing by the War Production Board. Field offices of the Board will tell applicants how to get authorization.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the War Production Board prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the War Production Board (including direc-

tions, directives and other instructions) apply to all subsequent transactions even though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. Regulations and orders do not apply to transactions in the Philippine Islands unless they specifically state that they do. However, restrictions of War Production Board orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Army or Navy outside the 48 states and the District of Columbia, unless otherwise specifically provided.

NOTE: Parenthetical note deleted June 28, 1945.

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the War Production Board, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restrictions.* No person may deliver or receive into inventory more of any material than is permitted under Priorities Regulation 32. That regulation takes the place of the rules formerly in this section.

§ 944.14a *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the War Production Board.

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the War Production Board applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders (or other orders required by the War Production Board to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologi-

cally according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by War Production Board officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 Audit and inspection. All records required to be kept by this regulation or by any rule, regulation or order of the War Production Board shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 Reports. Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 944.18 Violations. Any person who violates any provision of this regulation or any other rule, regulation or order of the War Production Board, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the War Production Board, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the War Production Board from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 Appeals for relief in exceptional cases. Any person who considers that compliance by himself or another

with a rule or regulation or order of the War Production Board would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 Notification of customers. Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the War Production Board shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1B

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 1C

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July

delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1D: Revoked June 28, 1945.

INTERPRETATION 1E

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services. (Issued Mar. 18, 1944.)

INTERPRETATION 2

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower. (Issued Mar. 18, 1944.)

INTERPRETATION 3

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale

or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated AA-4 and 20 rated AA-5. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated AA-4 and 24 rated AA-5 and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) The exception applies to a manufacturer who receives a rated order which, together with orders on hand, totals less than his minimum production run of a product which is mass produced and cannot be filled from inventory. It makes no difference that he has regularly sold in quantities as small as that ordered. For example, suppose a manufacturer's minimum production run is 1,000 units, but he has regularly sold in lots of 10 units. At a time when he has none of the particular product in inventory and no orders on hand, he receives a rated order for 600 units. He may reject the order. If, however, he has on hand a previously accepted order for 400 units, he would be required to accept the order for 600 units.

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly. (Issued Jan. 6, 1945.)

INTERPRETATION 4

ACCEPTANCE OF RATED ORDERS FOR USE OF FACILITIES BY CONTROLLED MATERIALS PRODUCERS

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with

the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

Examples. (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated AA-1 under CMP Regulation No. 5. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a AA-1 rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The War Production Board assigns a rating on a PD-1A certificate to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the War Production Board only for the purpose of filling a specific need shown by the first textile producer. (Issued July 24, 1943.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the War Production Board may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in WPB orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the War Production Board provides an exemption for small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes

of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable War Production Board order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944.)

INTERPRETATION 9: Revoked Mar. 18, 1944.

INTERPRETATION 10

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Sept. 21, 1944.)

INTERPRETATION 12

DATE ON WHICH PURCHASE ORDER IS RECEIVED

Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in § 944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1. (Issued Nov. 8, 1944.)

INTERPRETATION 13

APPLICABILITY OF ORDERS AND REGULATIONS TO USED OR SECOND-HAND MATERIALS AND PRODUCTS

(a) Every order or regulation of the War Production Board applies to materials and products in used or second-hand form (other than scrap) to the same extent as to new items, unless the order or regulation or a published interpretation of it expressly states otherwise.

(b) The following examples illustrate the above rule: (1) Order L-265 regulates the manufacture and distribution of "electronic equipment". The definition of this term in paragraph (a) (3) of the order does not exclude used or second-hand equipment from the coverage of the order. Therefore, all of the provisions of the order apply to both new and used or second-hand electronic equipment.

(2) Paragraph (c) of Order L-190 controls the distribution of new Class D scales. The term "new" is defined in the order. Therefore, the restrictions of paragraph (c) apply only to Class D scales which are "new", as defined in the order, and this interpretation does not apply to that order. (Issued Mar. 27, 1945.)

INTERPRETATION 16

APPLICABILITY OF PRIORITY RULES TO SUPPLIERS OF COMPLETE PRODUCTS AND PARTS FOR THE COMPLETE PRODUCTS

(a) *Applicability of rules regarding acceptance of orders.* A person who supplies parts for a complete product, as well as the complete product itself, may not accept an order for the complete products calling for delivery on a date which would interfere with delivery of equal or higher rated orders for parts which he has already accepted. In other words, he must comply with the rules in § 944.2 of Priorities Regulation 1 in accepting orders for complete products and orders for parts only, and this is true even if the complete product is subject to a frozen schedule under Priorities Regulation 18 and the parts are not. Thus if he gets a rated order for complete products calling for delivery on June 1, 1945, and cannot fill this order without using parts which are required for delivery on an equal or higher rated parts order previously accepted, calling for delivery on June 1, 1945, he may not accept the order for the complete products. In such a case, he must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date.

(b) *Arranging sequence of shipments under scheduling orders, and effect of frozen schedules.* (1) In arranging the sequence of shipments on a shipping schedule filed under Order M-293 and other scheduling orders, a manufacturer may not schedule an order for complete products for shipment on a date which would interfere with delivery of an equal or higher rated parts order which he has on his books. In other words, the manufacturer must comply with the rules in § 944.7 of Priorities Regulation 1 in arranging his shipping schedules under the scheduling orders. The fact that in some cases the complete products are subject to the scheduling provisions and parts are not, does not allow the manufacturer to disregard the parts orders in scheduling the orders for complete products. Furthermore, it would make no difference whether the parts were made by the manufacturer, or whether he made some and bought some, or whether he bought them all.

(2) However, where a shipping schedule for the complete products has been properly made up under Order M-293, or any other scheduling order, and has become a frozen schedule under Priorities Regulation 18, orders for parts (or for the complete product) subsequently received, may not be allowed to interfere with deliveries under the frozen schedule, unless the War Production Board takes affirmative action to permit or direct such interference. But when the next schedule is made up and filed, these newly received orders must be given the preference required by Priorities Regulation 1, as explained above.

(c) *Illustrations.* (1) If a manufacturer of internal combustion engines, who also makes (or buys) parts for such engines, has on hand an order rated AA-1 for 1,000 cylin-

der heads calling for delivery in January 1946, and then receives an AA-1 rated order for 1,000 engines also calling for delivery in January 1946, he may not accept the engine order unless he could fill it during January without using cylinder heads needed to fill the cylinder head order on time.

(2) If the manufacturer has accepted an AA-2 rated order for engines for delivery in January 1946, and thereafter receives an AA-1 rated order for cylinder heads for delivery in January, he must accept the latter order. Furthermore, in making up his January shipping schedule for engines under Table 4 of M-293, he must not schedule the engine order for shipment during the month unless he could fill it without using cylinder heads needed to fill the cylinder head order on time. However, if both of the orders call for delivery in December 1945, and his engine schedule for December, including this particular engine order, has already been frozen under Priorities Regulation 18, then he must not accept the cylinder head order for delivery in December unless he could fill it without interfering with the frozen schedule or unless the War Production Board specifically authorizes or directs him to do so. (Issued May 8, 1945.)

[F. R. Doc. 45-16075; Filed, Aug. 28, 1945; 11:35 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Interpretation 1A]

INVENTORIES IN SEASONAL INDUSTRIES

Interpretation 1A revoked August 28th 1945, and superseded by Interpretation 1 to Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16080; Filed, Aug. 28, 1945; 11:35 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Interpretation 7]

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

Interpretation 7 revoked August 28, 1945, and superseded by Interpretation 2 to Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 11, as Amended Aug. 28th, 1945]

PLACING AND ACCEPTANCE OF ORDERS FOR FUTURE DELIVERY CONDITIONED ON REMOVAL OF WPB RESTRICTIONS

The following interpretation is issued with respect to Priorities Regulation 1:

(a) Some orders and regulations of the War Production Board forbid the placing or acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by an allotment symbol or special authorization, or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the War Production Board.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable WPB restriction is removed. He may order materials needed to fill such orders, but his own orders must call for delivery at a future time when the material can be received under Priorities Regulation 32. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) For example, Order L-111 forbids the acceptance of an order for new hand trucks unless the order bears a rating of AA-5 or higher. Nevertheless, an unrated order for hand trucks may be accepted subject to the condition that no steps will be taken to fill it until the restriction on acceptance of unrated orders is removed.

(d) [Deleted Nov. 13, 1944]

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 14, as Amended Aug. 28th, 1945]

SUMMARY OF WPB CONTROLS REGARDING IDLE OR EXCESS INVENTORIES

Introduction

The following interpretation is issued with respect to Priorities Regulation 1:

(a) *Purpose of this interpretation.* This interpretation summarizes some of the important rules on what to do when you have materials or products which are idle or excess in your inventory because of a termination or cut-back in your war contracts or other change in your operations. These are not new rules on this subject, nor are they necessarily complete, but they are intended to be convenient references to rules which are now effective in WPB orders and regulations. As these orders and regulations are revised from time to time, you should be sure to look at the latest copies.

(b) *General rule.* The general rule is that if you got a material or product by using a preference rating, allotment or other WPB priorities assistance, you must if possible use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This is the rule of § 944.11 (a) of Priorities Regulation 1, which also states the conditions under which physical segregation of inventory is not required.

(For effect of this section on sale of Class B products, see Interpretation 32 to CMP Regulation 1).

Disposition or Use of Excess

(c) *In general.* If you have a termination, cut-back, or other reduction in your opera-

tions, it may be impossible to use the material or product for the purpose for which the priorities assistance was given. In this case, you may dispose of it as explained in paragraphs (b) (1) and (b) (2) of § 944.11 of PR-1, or you may use it as explained generally in paragraph (b) (3) of that section. These rules are summarized in paragraphs (d) and (e) below.

(d) *Disposition*—(1) *Special sales*. If you want to sell the excess material or product to someone else, and you acquired or made it for your own use and you do not sell it in the regular course of your business, you should look at Priorities Regulation 13 for the rules governing such "special sales". These include special sales as scrap (other than plant generated scrap). Also, all sales of surplus materials or products by Government agencies are special sales.

(2) *Other sales*. If the sale of the particular material or product, including scrap, is not a special sale, it is permitted as long as you comply with all requirements of WPB orders and regulations which apply to the material or product you are selling. For example, you are usually required to accept rated orders and observe the sequence of preference ratings; and if the material or product may be sold or scrapped only on specific WPB authorization as described in the applicable E, L, M, R, or U order, you must do what the order says.

(e) *Use*—(1) *Must be in compliance with applicable WPB orders*. If you want to use the excess material or product, you must always comply with all applicable WPB orders and regulations governing its use, inventory, etc. This is in addition to the rules in paragraphs (e) (2), (3) and (4) below. To find out what orders or regulations are applicable to the particular material or product, it may be helpful to look at the WPB monthly publication, "Products and Priorities," or you can ask your nearest WPB field office.

(2) *Use permitted if you could buy under PR-13*. You may use the excess material or product in your inventory for any permitted purpose for which you have the necessary rating or other qualification to buy from someone else at a "special sale" under PR-13. Thus, if that regulation says that a particular material may be sold for use only to someone who has an AA-5 rating, you could use it yourself for any permitted purpose for which you have that or a higher rating.

(3) *Use of controlled material*. In the case of steel, copper or aluminum in controlled material form, or a Class A product, you must look at paragraph (u) of CMP Regulation 1 which explains in more detail how you can divert and use such materials or products.

(4) *Special permission*. If you think you could get permission to buy the particular material or product from someone else under PR-13 and the rules in paragraphs (e) (2) and (3) above do not let you use it in your own inventory, you may ask for special permission to use the material or product yourself. The way to get this permission is explained in Direction 52 to CMP Regulation 1 on controlled materials and Class A products, and in Direction 4 to PR-1 for other materials and products. This permission may be given for use in other war contracts or in permitted civilian uses as long as there is no interference with war production in your area. (For prohibited or restricted civilian uses, see paragraph (f) below.) However, permission to use excess materials under these rules will not constitute an exception or appeal from the provisions of any E, L, or M order which might apply to the use you are interested in. Thus, you may also have to appeal or apply for the exception as provided in the particular order.

(f) *Resuming civilian production*. If you want to divert idle or excess materials for use in resuming civilian production presently limited or prohibited, the rules for getting the necessary permission are explained in Priorities Regulation 25. If permission is

granted, you can use materials in your inventory under the rules described in paragraph (e) above.

(g) *Special provision for transfer among war contractors*. If you have a war contract which has been terminated or modified, and another contractor is producing similar products for the same procuring agency, he may be able to receive excess materials (from you, your suppliers, or the procuring agency) in excess of inventory limits. This is permitted when authorized by the procuring agency to the extent described in Direction 1 to Priorities Regulation 32. This direction covers both the inventory exceptions necessary to receive excess materials of this kind, and also the sale or exchange of the materials.

Bringing Inventory Back to Normal

(h) *Inventory limitations*. If the termination or cut-back results in your having a bigger inventory than you need, the mere possession of it is not prohibited as long as the particular material or product was properly acquired. This is explained in Interpretation 5 to Priorities Regulation 32. However, you may not receive further deliveries of the particular material or product held in excess, nor may you fabricate above permitted inventory levels, except as provided in the applicable regulations or orders. The general inventory rules are in Priorities Regulation 32, and specific inventory limits on particular materials or products or relating to particular classes of persons are indicated in Tables 1 and 2 of that regulation. In general, upon any reduction in operations, outstanding orders for the items which constitute an excessive inventory must be promptly adjusted, or, if necessary, cancelled. However, certain further deliveries may be received to the extent permitted by paragraph (h) of Priorities Regulation 32, and special items may be received as permitted by that paragraph and by Direction 3 to that regulation. A limited inventory exception in the case of items bought on special sales is provided in PR-13.

(i) *Cancelling ratings or allotments*. In cutting back or cancelling orders as described above you will probably have to cancel your ratings to the extent described in § 944.4a of PR-1, and make the necessary adjustments in your allotments and authorized controlled material orders as explained in paragraph (u) (2) of CMP Regulation 1 and Interpretation 28 and 31 to CMP Regulation 1.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16083; Filed, Aug. 28, 1945;
11:36 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Interpretation 15]

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

Interpretation 15 revoked August 28, 1945, and superseded by Interpretation 3 to Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Interpretation 17]

STOCKPILING IN ANTICIPATION OF CIVILIAN PRODUCTION

Interpretation 17 revoked August 28, 1945, and superseded by paragraph (g) (4) of Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Direction 3]

TRANSFER OF IDLE MATERIALS AMONG WAR CONTRACTORS

Direction 3 to Priorities Regulation 1 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The direction is superseded by Direction 1 to Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Direction 6]

INVENTORY EXEMPTION FOR CERTAIN CAPITAL EQUIPMENT, MRO, JIGS, DIES AND FIXTURES

Direction 6 to Priorities Regulation 1 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The direction is superseded by Priorities Regulation 32, particularly Table 3 of that regulation.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Revocation of Direction 7]

ADDITIONAL EXCEPTION FROM INVENTORY RESTRICTIONS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CUT-BACKS

Direction 7 to Priorities Regulation 1 is revoked. This revocation does not af-

fect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. This direction is superseded by Direction 3 to Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO
THE OPERATION OF THE PRIORITIES
SYSTEM

[Priorities Reg. 32]

INVENTORIES

(a) What this regulation does.

General Restrictions

- (b) Restriction on delivery.
- (c) Restrictions on receipts.
- (d) Restriction on ordering more than needed.
- (e) Adjusting outstanding orders when requirements change.
- (f) Restriction on processing.

Exceptions

- (g) In general.
- (h) Receipts permitted after contract cancellations or cut-backs.

Miscellaneous Provisions

- (i) Previous inventory authorizations.
- (j) Separate inventories.
- (k) Redistribution of excess inventories.
- (l) Violations.
- (m) Revisions of tables.
- (n) Appeals, letters and questions.

§ 944.53 *Priorities Regulation 32*—(a) *What this regulation does.* This regulation contains the inventory rules formerly in § 944.14 of Priorities Regulation 1 and in CMP Regulation 2. Its purpose is to prevent excessive inventories by restricting ordering, deliveries, receipts and processing of materials in short supply. All kinds of materials are covered including raw or semi-fabricated materials, commodities, equipment, accessories, parts, assemblies or products of any kind, whether or not acquired with priorities assistance.

The general rule on receipts is in paragraph (c) (1), and this is controlling unless a more specific limitation or exception is indicated in Table 1 or 2 or a direction to this regulation, or unless Table 3 (formerly Order M-161) exempts the material entirely. Other exceptions to the inventory limitations are stated in paragraphs (g) and (h) and in directions to this regulation.

General Restrictions

(b) *Restriction on delivery.* No person may deliver any material if he knows or has reason to believe that acceptance of the delivery would be in violation of this regulation.

NOTE: For rule on making or delivering material earlier than required by customers, see Interpretation 3.

(c) *Restrictions on receipts*—(1) *General rule.* A person may not accept delivery of any material if his inventory

of that material is, or will be, more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation.

NOTE: For rule on when material is considered to be in inventory, see Interpretation 4; for rule as to seasonal industries, see Interpretation 1.

(2) *Special rules in Tables 1 and 2.* If Table 1 at the end of this regulation shows a special inventory limit on a particular material or product (either specifically or by reference to another WPB order or regulation), that limitation governs and the restrictions of paragraph (c) (1) above may be disregarded unless the applicable order or regulation (or a note in Table 1) also states that a practicable minimum working inventory may not be exceeded. The same is true with respect to particular classes of persons shown on Table 2. Where a specific period of time is shown on Table 1 or 2, no person affected may accept delivery of any material specified if his inventory of it is, or will be, more than he needs during the immediate period specified on the basis of his current or scheduled method and rate of operation. Even if an order or regulation is not listed on Table 1 or 2, any specific inventory limits imposed by it must be complied with. If an order or regulation listed on Table 1 or 2 is revoked or a listing removed from the tables all provisions of this regulation, including paragraph (c) (1), are automatically applicable.

(3) *Special rules on steel and copper in controlled material form.* The former inventory rules in CMP Regulation 2 on steel and copper in controlled material form (as defined in CMP Regulation 1) are now in Table 1 of this regulation, and the following special rules are applicable to deliveries to users of such steel and copper: (i) Where steel and copper are involved, the provisions of this regulation apply separately to each "item" in any class listed in Table 1 which is different from all other items in that class by reason of one or more of its specifications, such as length, width, thickness, temper, alloy, finish, method of manufacture, etc. (ii) If any producer of steel or copper exercises his privilege under CMP Regulation 1 of making delivery before the delivery date specified by his customer, the delivery may be accepted and the limits of this paragraph (c) exceeded to the extent that the excess results from the early delivery. (iii) The limits in Table 1 on receipts of steel and copper in terms of specific days' requirements apply only within the 48 States and the District of Columbia. Other special rules on steel and copper are explained in Table 1.

(d) *Restriction on ordering more than needed.* (1) A person may not place any order, whether rated or unrated, for delivery of any material on earlier dates or in larger amounts than he would be permitted to receive under this regulation. Orders aggregating more than he is allowed to receive may not be placed with different suppliers even though he intends to cancel one or more of them be-

fore delivery. However, this restriction does not apply to materials listed on Table 3 of this regulation nor to purchases by ultimate consumers for personal or household use. The restriction does not forbid the placing of orders for delivery under the conditions explained in Interpretation 11 to Priorities Regulation 1, but such orders may not be scheduled for production as long as this restriction is effective.

(2) This restriction does not require adjustment of orders placed before August 28, 1945. However, in view of its policy to prevent hoarding and speculative buying of materials in short supply, the WPB may direct adjustments or cancellations in individual cases where orders are in excess of reasonably anticipated needs especially where failure to do so might result in unbalanced distribution and curtail total production.

(e) *Adjusting outstanding orders when requirements change.* If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier, or any other change in requirements, a person who has ordered material for future delivery would, if he accepted delivery on the date specified, exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders, and, if necessary, postpone or cancel them. Paragraph (h) below describes what further deliveries may be accepted.

(f) *Restriction on processing.* No person may process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of the material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will be, more than a practicable minimum working inventory. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless a WPB order specifically says otherwise.

Exceptions

(g) *In general.* This paragraph, paragraph (h) below, and certain directions to this regulation state general exceptions to the restrictions on acceptance of delivery described in paragraph (c) above, and to all other inventory restrictions on delivery and acceptance of delivery in WPB orders and regulations unless they contain specific provisions to the contrary. None of these or any other exceptions to WPB inventory restrictions on receipts permit a supplier to disregard any applicable WPB order or regulation which restricts production or delivery.

(1) *Exemption of Table 3 materials.* Materials listed on Table 3 at the end of this regulation may be delivered and accepted without regard to WPB inventory restrictions.

(2) *Materials bought under PR-13.* Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items bought on special sales.

(3) *Imported materials.* A person may import any material without regard to WPB inventory restrictions, but if his inventory of it thereby becomes in excess of the amount permitted by this

regulation, he may not receive further deliveries of it from domestic sources until his inventory is reduced to permitted levels. The inventory restrictions of this regulation do apply to any deliveries of the imported material he makes, and to the amount of it that any person accepting delivery from him may receive.

(4) *Advance stockpiling for civilian production.* A person may receive in anticipation of starting or resuming civilian production the minimum amount of material he would need during the first 30 days of such production, provided no priorities assistance is used to get the material. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of Priorities Regulation 1. This 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which a producer expects to have available for making his civilian product. Changes in this 30-day amount may be indicated for a particular material by a note in Table 1.

(5) *Minimum sale quantities.* Minimum sale quantities and production runs may be accepted to the extent permitted by Interpretation 2 to this Regulation. However, where Column 3 of Table 1 shows a specific amount of a particular material, that is considered to be the minimum sale quantity of it. Thus, if a person would be permitted under paragraph (c) to accept less than the amount shown, he may accept delivery of the full amount. In any event, after receiving a minimum sale quantity of any material, a person may not accept delivery of any additional quantities until his inventory of it is within applicable limits.

(6) *Small inventory exemption for particular materials.* If a note in Table 1 or 2 shows a specific amount of a particular material as a small inventory exemption, a person may accept delivery of any quantities of it as long as his total inventory of it after acceptance is no more than the specified amount.

(h) *Receipts permitted after contract cancellations or cut backs.* Where a person has promptly cancelled or cut back a contract with his supplier as required by paragraph (e) and the supplier is not otherwise prohibited from producing or delivering any material involved, delivery of it may be accepted and the inventory restrictions of paragraph (c) exceeded to the following extent only:

(1) Delivery may be accepted if the supplier has shipped the material or loaded it for shipment before the receipt of the instruction to cancel or cut back; or

(2) Delivery may be accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the supplier does not usually make, stock, or sell, and

which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be accepted from a producer if it has already been produced or is in production before receipt of the instruction to cancel or cut back, and it cannot be used to fill other orders on the producer's books.

NOTE: For special rules on continuing receipts of special items after contract cut backs, see Direction 3 to this regulation; and as to transfers of idle materials after cancellations or cut backs, see Direction 1. For effect of reduction in consumption rate on permitted inventories, see Interpretation 5.

Miscellaneous Provisions

(i) *Previous inventory authorizations.* Any specific authorizations, exceptions, or grants of appeals issued under § 944.14 of Priorities Regulation 1 or CMP Regulation 2 remain in effect according to their terms unless individually modified or revoked.

(j) *Separate inventories.* (1) In figuring his inventory, a person must include all material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) In the case of a person who on August 28, 1945, has more than one operating unit and keeps separate inventory records for them, this regulation applies to each such operating unit or division independently. A person may not make any further separation or consolidation of such operating units without special written approval of the War Production Board, unless it is purely incidental to a separation or consolidation which is made primarily for other than inventory purposes.

(k) *Redistribution of excess inventories.* Excess inventories of materials and products, including inventories of materials which are in such form as to be unusable by the holder, are subject to redistribution to other persons by voluntary action pursuant to Priorities Regulation 13, or if necessary for national defense, through requisitioning by the War Production Board.

(l) *Violations.* Any person who wilfully violates any provision of this regulation, or who, in connection with this regulation, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such per-

son may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Revisions of tables.* Tables 1, 2 and 3, attached to this regulation will be revised from time to time. As materials and products become in more ample supply, it is expected that they will be listed on Table 3. In special cases, particular materials or products may also be removed from Table 3 or added to Table 1. It is, therefore, important to be familiar with the latest revision of the tables.

(n) *Appeals, letters and questions.* Any appeal or other question regarding any provision of this regulation should be sent by letter in duplicate to the Office of Inventory Control and Surplus Utilization, War Production Board, Washington 25, D. C., Ref.: PR 32, unless Table 1 or 2 attached to this regulation indicates otherwise with respect to particular materials or classes of persons.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE 1—MATERIALS AND PRODUCTS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

Explanation. Materials or products listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation, except to the extent that different rules may apply as to certain classes of persons under Table 2.

Column 2 shows either the WPB order or regulation which controls inventories of the material, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

A figure in Column 3 shows the minimum sale quantity, that is, the amount of the particular material which a person may receive under the conditions stated in paragraph (g) (5), even if it is more than allowed under Column 2. If no figure is shown, the rule in Interpretation 2 must be followed.

Column 4 tells the Division or Office in the War Production Board to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest WPB field office, that provision controls.

Column 5 (Remarks) gives explanations, exemptions or other special rules applicable to the particular material or limitation.

Material	Order or limitation	Minimum sale quantity	WPB division or office administering the control	Remarks
(1)	(2)	(3)	(4)	(5)
Aluminum. (See Table 3.)				
Antimony.....	M-112.....			
Babbitt.....	M-43, Dir. 2.....			
Bristles.....	M-51.....			
Castings, malleable iron.....	45 days*.....	****		
			Tin, lead and zinc. Tin, lead and zinc. Textiles. Office of Inventory Control.	****Receipts of less than 2,000 pounds from any one pattern or mold, or of a minimum production run as explained in Interpretation 2 are permitted under the conditions explained in par. (g) (5).

cable order says appeals are to be filed somewhere else, such as the nearest WPB field office, that provision controls.

Column 4 (Remarks) gives explanations, exemptions or other special rules applicable to the particular class of persons or limitation. Where this column specifies certain materials, the limitation or exemption for the particular class of person applies only to the materials specified.

Classes of persons	Order or limitation	WPB division or office administering the control	Remarks
(1)	(2)	(3)	(4)
Bag makers (cotton textiles).....	M-221.....	Containers.....	Bristles. Applicable only to special high carbon steel in special forms and shapes needed to make files and rasps.
Brush manufacturers.....	M-51.....	Textiles.....	
File and rasp manufacturers.....	120 days*	Inventory control.....	
Jeweled watch manufacturers.....	None.....	Inventory control.....	No inventory restrictions on receipt of controlled materials for making jeweled watches.
Merchants (cons mers' soft goods inventory).....	L-219.....	Wholesale and retail trade.....	Print paper.
Mines.....	P-56.....	Mining.....	
Newspapers, publishers of.....	L-240.....	Printing and publishing.....	
Petroleum operators.....	P-98-c.....	Petroleum Administration for War.....	Applicable only to special heat treated, tempered, polished, and colored high carbon steel (known as segment or expander steel) for use in the production of piston rings.
Piston ring manufacturers.....	90 days*	Inventory control.....	
Repairmen (parts or materials for).....	CMP 9A.....	Service equipment.....	
Segregated structural steel for construction, persons using.....	**.....	Inventory control.....	**See special rule under "Steel" in table 1.
Sewerage systems, operators of public sanitary and combined.....	P-141.....	Government.....	
Suppliers.....	L-63.....	Wholesale and retail trade.....	
Telegraph operators.....	U-4.....	War utilities.....	
Telephone operators.....	U-3.....	War utilities.....	
Textiles and leather producers (MRO supplies).....	P-139.....	Textiles.....	
Transportation systems (MRO supplies).....	P-142.....	Transportation equipment.....	
Utility producers (electric power, gas, water and central steam heating).....	U-1.....	War utilities.....	
Water well drillers.....	P-148.....	Service equipment.....	

*Or a practicable minimum working inventory, whichever is less.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS

Explanation. The following materials and products are exempt from the inventory restrictions on receipts of this regulation and of all other WPB orders or regulations unless they specifically state otherwise.

NOTE: Exemptions from MRO quotas for these materials, formerly in Order M-161, are explained in Direction 28 to CMP Regulation 5.

MATERIAL	REMARKS
(1)	(2)
Aluminum in all forms	
Asbestos, unmanufactured, all grades and types	
Asbestos Tape .010-.025 thickness	
Borax	
Boric Acid	
Capital Equipment	Only if acquired without priorities assistance.
Cork, raw—corkwood, milling cork, grinding cork	
Domestic andalusite	
Domestic dumortierite	
Ilmenite	
Istle fiber and products	
Jigs, dies and fixtures	Only if acquired pursuant to Direction 25 to CMP Regulation 5, or without priorities assistance.
Jute fiber and jute products except burlap	
Mineral aggregates:	
Sand	
Gravel	
Crushstone	
Slag	
Phosphate rock	
Pipe fittings, steel and brass	
Potter's flint	
Salt (sodium chloride) in bulk	
Sodium sulfate (salt cake)	
Sodium sulfite	
Stoneware clay	
Sulphur	
Valves, steel and iron	
Vermiculite	
Waste paper	
Wool: Raw wool	

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Interpretation 1]

INVENTORIES IN SEASONAL INDUSTRIES

The following interpretation is issued with respect to Priorities Regulation 32:

Paragraph (c) (1) of Priorities Regulation 32 prohibits any person from accepting a delivery which will give him "more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation". This does not prevent a person engaged in a seasonal industry who normally stocks up inventory in advance of the season from accepting delivery of his requirements of the inventory in question, provided (a) that he is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Interpretation 2]

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

The following interpretation is issued with respect to Priorities Regulation 32:

(a) *Applicable provisions of the regulations.* Priorities Regulation 32 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (c) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum amount needed."

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation 32 or his "minimum amount needed" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the War Production Board for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in Tables 1 and 3 of Priorities Regulation 32, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b).

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Interpretation 3]

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

The following interpretation is issued with respect to Priorities Regulation 32:

(a) Paragraph (b) of Priorities Regulation 32 prohibits a person from knowingly making a delivery which will give his customer more than the latter is permitted to receive under the regulation. Paragraph (f) of that regulation prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order of a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (c) of the regulation, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order, a supplier is required to satisfy

himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by paragraph (f) of the regulation.

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sale quantities or production runs to the extent described in Interpretation 2 to this regulation, nor does it prevent earlier delivery of controlled materials under the conditions explained in paragraph (t) (4) of CMP Regulation 1 and Interpretation 33 to that regulation. Also, if any WPB order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Interpretation 4]

INVENTORY MATERIAL

The following interpretation is issued with respect to Priorities Regulation 32:

(a) Paragraph (c) of Priorities Regulation 32 prohibits a person from accepting delivery of material if his inventory of it is, or will be, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

(b) For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed.

(c) If a manufacturer purchases and stores steel castings in the form purchased, the steel castings are not put into process when the castings are painted and stored. Consequently, the inventory of castings includes those painted and stored.

(d) If a manufacturer shears steel sheet and stocks in sheared form, such stock is still part of his inventory, if the material does not continue in production.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16093; Filed, Aug. 28, 1945;
11:37 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Interpretation 5]

EFFECT OF REDUCTION IN CONSUMPTION RATE ON PERMITTED INVENTORIES

The following interpretation is issued with respect to Priorities Regulation 32:

(a) Paragraph (c) of Priorities Regulation 32 prohibits the acceptance of delivery of material if a person's inventory of it is, or will be, more than the amount permitted by the regulation. If material is acquired within these restrictions, the regulation does not prohibit the mere possession of an inventory if a change in circumstances makes it greater than the amount permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically, the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of that item of steel until his inventory has been reduced below 10 tons (except as provided in paragraph (h) of Priorities Regulation 32 and Direction 3 to that regulation, relating to material already shipped, special items, etc.)

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between the customer and his supplier and by contract law.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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11:37 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Direction 1]

TRANSFER OF IDLE MATERIALS AMONG WAR CONTRACTORS

The following direction is issued pursuant to Priorities Regulation 32:

(a) This direction states conditions under which, upon authorization by a procuring agency, materials which are idle or excess as a result of a contract termination or modification may be delivered to other contractors for use on the same major program, and received by them in excess of inventory limitations. It also covers cases where the production is transferred by the procuring agency from one contractor to another. The only procuring agencies covered are: War, Navy, Maritime Commission, War Shipping Administration, Army Air Forces and Bureau of Aeronautics.

(b) This direction applies only under the following conditions:

(1) Where several contractors are producing similar products, assemblies, subassemblies or parts in a program for one of the above procuring agencies, and the procuring agency terminates or modifies the contract with one or more of these contractors either directly or through a prime contractor or the production is transferred from one contractor to another; and

(2) There are materials idle as a result of the termination, modification or transfer of production action in the form of raw materials, work in process, assemblies, subassemblies or parts which can be used by other contractors in the same major program.

(c) In cases of termination or modification or where the production is transferred, a contractor continuing the production may receive the idle materials for use in the same major program from any of the other contractors whose contracts have been terminated or modified, or from the procuring agency, *Provided:*

(1) The procuring agency so authorizes in writing, and

(2) The amounts of any item so received do not exceed the contractor's contract requirements after taking into consideration amounts of the item presently on hand plus the amount on order which cannot be cancelled.

A contractor whose contract has been terminated or modified may deliver the idle materials either direct or through the procuring agency to the continuing contractor under this paragraph only where the procuring agency so authorizes in writing.

(d) In addition, in cases where the production is transferred and suppliers of the original contractor have materials scheduled for that production, the continuing contractor may receive the materials from these suppliers for use in the same major program, subject to the following conditions.

(1) Special items which are not readily usable in the manufacture of other products, assemblies or subassemblies and which would in the opinion of the procuring agency have only a scrap value if not so used, may be received under this paragraph: *Provided*, The procuring agency so authorizes in writing, and the amounts of any items so received do not exceed the contractor's contract requirements after taking into consideration amounts of the item presently on hand plus the amount on order which cannot be cancelled.

(2) Standard materials and products. Materials and products which are not special to this particular production may be received under this paragraph, provided the procuring agency so authorizes in writing and the amount of any item so received is not in excess of four months' requirements for the particular program and the total on hand after receipt will not exceed the contractor's succeeding six months' requirements.

(e) The contractor is required after determination of availability and usability of the materials received under this direction to promptly cancel, reduce or postpone further deliveries from his suppliers so that his inventory of the particular items is reduced as quickly as possible to a practicable minimum working level.

(f) This direction constitutes the authority for the sale or exchange of these materials under the provisions of Section C.4 in the introduction to List A of Priorities Regulation No. 13.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16087; Filed, Aug. 28, 1945;
11:33 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Direction 2]

CAN MANUFACTURERS IN THE PACIFIC COAST AREA

The following direction is issued with respect to Priorities Regulation 32:

During the period ending September 30, 1945, the 60-day limit of Table 1 of Priorities Regulation 32 does not apply to the acceptance of deliveries, in the States of Washington, Oregon, California and Utah, of tinplate for the manufacture of cans. Instead, during this period, a user of controlled material may not accept delivery in those states of any item of tinplate for the manufacture of cans if his inventory of that item is, or will be, more than he needs during the succeeding 90-day period on the basis of his current or scheduled method and rate of operation. After September 30, 1945, this direction no longer has any effect, and all provisions of Table 1 of Priorities Regulation 32 shall apply.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16088; Filed, Aug. 28, 1945;
11:33 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, Direction 3]

ADDITIONAL EXCEPTION FROM INVENTORY RESTRICTIONS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CUT-BACKS

The following direction is issued pursuant to Priorities Regulation 32:

(a) *Purpose.* Where a contract or subcontract has been modified (not terminated) so as to reduce the rate of delivery under it, and the contractor or subcontractor as a result has an excess inventory of any special item (as defined in paragraph (h) (2) of Priorities Regulation 32), his inability to receive further deliveries of it until the excess is consumed might have a serious effect on military procurement. The customer can accept special items which the supplier has in stock or in production as permitted in that paragraph (h) (2). This direction tells how additional deliveries of special items can be accepted by the customer in excess of inventory limitations.

(b) *Scope.* This direction applies only where the customer is a prime or subcontractor under a contract which has been modified (not terminated) by the Army, Navy, Maritime Commission, War Shipping Administration, Army Air Forces or Bureau of Aeronautics, and permits the customer to accept continued deliveries only as permitted under paragraphs (c) and (d).

(c) *Inventory exceptions.*—(1) *Six-months permission.* The customer may continue to accept delivery at a reduced rate of any special item required for use in the contract or subcontract where (1) the supplier notifies the customer in writing that to the best of his knowledge and belief he will be unable to resume shipments at a later date as required by the contract or subcontract if he is not permitted to make the continued deliveries, and (2) such deliveries are rescheduled so as to bring the customer's inventory down to the limits required by Priorities Regulation 32 within six months.

(2) *Permission from procuring agency.* If the six-month requirement of paragraph (c) (1) cannot be met, the customer may nevertheless continue to accept delivery of special items, provided the deliveries are rescheduled at the lowest practicable rate and have been approved in writing to the customer by the procuring agency.

(d) *General limitation on receipts and use.* No amounts of special items may be received under this direction which exceed

the customer's total requirements under the particular contract or subcontract after taking into consideration the amounts of the item presently on hand. In addition, any quantities of an item so received may be used only in filling the particular contract or subcontract, and if it is subsequently cancelled, further deliveries may be received only as permitted by paragraph (h) of Priorities Regulation 32.

(e) *Exceptions relate to receipts only.* Nothing in this direction permits a supplier to disregard any applicable WPB order or regulation which restricts production or delivery.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16089; Filed, Aug. 28, 1945;
11:33 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M-161,
Revocation]

Section 1255.1 *General Inventory Order M-161*, is revoked. This order is superseded by Table 3 to Priorities Regulation 32 and by Direction 28 to CMP Regulation 5.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16070; Filed, Aug. 28, 1945;
11:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Revocation]

Section 3175.2 *CMP Regulation 2*, and all published directions to that regulation are revoked. These revocations do not affect any liabilities incurred for violation of the regulation or directions or of actions taken by the War Production Board under the regulation or directions. The regulation and directions are superseded by Priorities Regulation 32, and more particularly, some of the directions are superseded as follows:

Directions 1, 2, 3, 4, 6, 7, 12, 13, 24, 25 and 26, are incorporated into Table 1 or 2 of PR 32.

Direction 17 is superseded by Direction 1 to PR 32.

Direction 22 is superseded by Direction 2 to PR 32.

Direction 23 is superseded by Direction 3 to PR 32.

In addition, Interpretations 1 and 3 of CMP Regulation 2 are superseded by Interpretations 4 and 5 respectively of Priorities Regulation 32.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16063; Filed, Aug. 28, 1945;
11:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 28]

The following direction is issued pursuant to CMP Regulation 5:

(a) This direction excepts certain materials from limits on the purchase of maintenance, repair and operating supplies. The exception is made in some cases because there is no serious shortage of the material and in other cases because the material is available in quantity only in certain seasons, so that it is desirable to permit persons to buy and store it without limit. This direction (together with the inventory exemptions in Table 3 of Priorities Regulation 32) take the place of Order M-161.

(b) The materials listed on Schedule A are not subject to any restrictions in any regulation or order of the War Production Board (including CMP Regulations 5 and 5A and "P" and "U" orders) which limit the quantity of material received or ordered for maintenance, repair, or operating supplies during any period on the basis of the amount of such supplies purchased during a base period. A person may receive or order for delivery any quantity of listed materials without regard to these restrictions. He does not have to charge his orders for any such material against his base-period quota except to the extent that purchases of the same material were taken into account in arriving at his quota. For example, a manufacturer operating under CMP Regulation 5 is limited in his purchases of maintenance, repair, and operating supplies to the amount which he spent in the base period. A manufacturer who spent \$50,000 during the base period, including \$500 for a listed material, may buy any amount of that material during the current period and may use his MRO rating for that purpose, and he need include only \$500 of the amount thus spent for that material in figuring the amount to be charged to his quota of MRO.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.
SCHEDULE A

This lists the materials which are exempt from restrictions on the quantity which may be purchased for maintenance, repair or operating supplies

Asbestos tape—.010-.025 thickness
Asbestos unmanufactured, all grades and types
Borax
Boric acid
Domestic andalusite
Domestic dumortierite
Ilmenite
Phosphate rock
Potter's flint
Salt (sodium chloride) in bulk
Sodium sulfate (salt cake)
Sodium sulfite
Stoneware clay
Sulphur
Vermiculite
Waste paper
Wool, raw

Any other material which may be listed on Table 3 of Priorities Regulation 32

[F. R. Doc. 45-16064; Filed, Aug. 28, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Revocation of Direction 3]

SPECIFICATIONS ON TOWELING AND TOWELS

Direction 3 to Limitation Order L-99 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The operation of plain and dobby looms manufacturing toweling, and the manufacture of towels made from such toweling, remains subject to the provisions of Order L-99, and all other applicable orders and regulations of the War Production Board.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16067; Filed, Aug. 28, 1945; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Revocation of Direction 4]

BANDAGE CLOTH

Direction 4 to Limitation Order L-99 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The operation of looms producing bandage cloth remains subject to the provisions of Order L-99, and all other applicable orders and regulations of the War Production Board.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16068; Filed, Aug. 28, 1945; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Revocation of Direction 5]

HIGH COUNT COTTON PRINT CLOTH

Direction 5 to Limitation Order L-99 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The operation of looms producing high count print cloth remains subject to the provisions of Order L-99, and all other applicable orders and regulations of the War Production Board.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Revocation of Direction 9]

RESTRICTIONS ON SALE AND DELIVERY OF CERTAIN CARDED COTTON SALE YARN IN COUNTS OF 9'S THROUGH 14'S

Direction 9 to Conservation Order M-317 is hereby revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The sale and delivery of these yarns remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16071; Filed, Aug. 28, 1945; 11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Revocation of Direction 11]

COMBED COTTON YARN FABRICS FOR THE ARMED SERVICES

Direction 11 to Conservation Order M-317 is hereby revoked.

This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. The manufacture, sale, delivery and use of these fabrics remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16072; Filed, Aug. 28, 1945; 11:35 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-387, as Amended Aug. 28, 1945]

ROSIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rosin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.646 *Conservation Order M-387*—(a) *Definitions*. (1) "Gum and wood rosin" means gum and wood rosin as defined by the Naval Stores Act of March 3, 1923, and the regulations issued by the Acting Secretary of Agriculture on April 22, 1941 under that act. However, the term "rosin" when not expressly limited to gum or wood rosin, means the

gum or wood rosin content of any intermediate product as well as gum or wood rosin as such.

(2) "Intermediate product" means any product containing gum or wood rosin capable of use in the manufacture of a Schedule A product. The term includes but is not limited to mixing and grinding vehicles containing rosin, esterified rosin (ester gum), rosin modified phenolic resin, rosin modified maleic or fumaric resins, rosin modified phthalic alkyd resins, gloss oil, heat-treated rosin, stabilized rosins, polymerized rosin and metal resins. The only intermediate products which need not be considered for the purpose of this order are specified in paragraph (e) (2).

(3) "Manufacturer" means any person who uses rosin in the manufacture of any product, or any person who has rosin manufactured for him into any product pursuant to toll arrangement.

(4) "Producer" means any person who produces gum or wood rosin.

(5) "Rosin quota" means the amount of rosin any manufacturer may use in any calendar quarter for the manufacture of any product on Schedule A. Each manufacturer has a separate rosin quota for each product on Schedule A. His quota for a Schedule A product amounts to the percentage (set opposite that product) of the quantity of rosin he put into process for the manufacture of that product to fill all orders during the corresponding calendar quarter of 1944.

(6) [Revoked May 30, 1945.]

(7) [Revoked May 30, 1945.]

(8) [Deleted Aug. 28, 1945.]

(9) [Deleted Aug. 28, 1945.]

(10) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping, or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(11) "Protective coating" means any liquid organic coating, thinner, or remover which either alone or mixed with other materials is normally applied to any surface by brush, spray, dip, roller coat, or other method of application. The term includes but is not limited to paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, stain and polishing waxes. The term does not include adhesive, cement, printing ink, coating for the manufacture of coated fabric, coating for leather (limited to hides, skins and splits, etc., which have not been incorporated into any product), coating for footwear (of any material, including leather) and coatings for manufacture of linoleum or felt base covering.

(12) "Soap" means the water soluble product formed by the saponification or neutralization of rosin, fats, oils, or their fatty acids, with organic, ammonium, sodium or potassium bases; or any com-

position containing such products. The term includes all types of shaving soaps and shaving creams, but shall not include soap used for nondetergent purposes and soap for industrial degreasing of metal tooling or metal fabrication.

(13) "Put into process" means the first change made by a manufacturer in the chemical or physical properties of gum or wood rosin, or of any intermediate product which he uses as such in the manufacture of a Schedule A product. For example, if gum or wood rosin is added as such to a kettle of other material in the final process of making a protective coating, the gum or wood rosin in question would be considered to have been "put into process" when it was put into the kettle. On the other hand, if gum or wood rosin is first compounded into a synthetic resin, and the synthetic resin subsequently is added to the kettle of other materials in the final process of making a protective coating, the rosin content in question would be considered to have been "put into process" when the synthetic resin was added to the kettle in the final stage of manufacture of the protective coating.

(b) *Restriction on use.* (1) During the third quarter of 1945 no manufacturer shall put into process for the manufacture of any product in Schedule A more rosin than the sum total of $\frac{1}{2}$ of the amount of rosin he is entitled to use for that product under this order as amended August 28, 1945 and $\frac{1}{2}$ the amount of rosin he was entitled to use for that product under this order as amended August 9, 1945.

(2) During the fourth calendar quarter of 1945, and during each calendar quarter thereafter, no manufacturer shall put into process for the manufacture of any product on Schedule A more rosin than his rosin quota for the manufacture of that product.

(3) [Deleted Aug. 28, 1945.]

(4) The use of rosin in the manufacture of products not on Schedule A is not restricted by paragraphs (b) (1) or (2) above.

(5) Any person who did not use any rosin in the manufacture of any product on Schedule A in 1944, and therefore has no rosin quota under this order for the manufacture of such products, may, nevertheless, apply to the WPB for a rosin quota for the production of any product or products listed on Schedule A. Application for such quotas may be made by addressing a letter to the Chemicals Bureau, War Production Board, Washington 25, D. C., Ref.: M-387, stating the Schedule A products which the applicant desires to make, the quantity required and any other pertinent information. Applications will be processed on an equitable basis in view of the quotas of other manufacturers under the order. No applications will be denied on the

ground that the applicant was not previously engaged in the business of manufacturing the products.

(c) *End of quarter carry-over.* If, in any calendar quarter, a manufacturer does not use all of his rosin quota for the manufacture of any Schedule A product, the unused balance may be carried forward and used only in the succeeding calendar quarter for the manufacture of that product. Balances permitted to be carried over under this paragraph may be used in addition to the regular quota permitted by paragraph (b) for the quarter during which the carry-over is used. For example, if a manufacturer has a quota of 50,000 pounds per quarter for the manufacture of adhesives, and uses only 30,000 pounds in the first quarter of 1945, he has a carry-over of 20,000 pounds which he may consume for the manufacture of adhesives in the second quarter of 1945 in addition to his regular quota of 50,000 pounds. If, however, in the second quarter of 1945, he actually consumes only 40,000 pounds for adhesives, he has a carry-over for the third quarter of 1945 of only 10,000 pounds, viz., the difference between what was actually consumed (40,000 pounds) and his regular quota for that quarter (50,000 pounds). The 20,000 pound carry-over from the first quarter of 1945 is disregarded in determining the unused balance of his quota at the end of the second quarter of 1945.

(d) *Toll arrangements.* For the purpose of this order a toll arrangement is an arrangement under which rosin owned by one person (referred to as "the owner") is manufactured into a Schedule A product for the owner by another person (referred to as the "processor"). Toll arrangements are subject to the following restrictions:

(1) Any quantity of rosin put into process for the production of any product on Schedule A under toll arrangement during any calendar quarter shall be charged against the owner's rosin quota instead of the processor's, if the owner manufactured the product himself or had it manufactured for him during the corresponding calendar quarter of 1944.

(2) Any quantity of rosin put into process, under toll arrangement during any calendar quarter, for the production of any product on Schedule A, must be charged against the rosin quota of the processor and not against the rosin quota of the owner, if the owner did not manufacture that product nor have it manufactured for him during the corresponding quarter of 1944.

(3) Any processor who is offered rosin for processing on toll arrangement shall assume that he is required to charge the rosin against his own rosin quota, unless he is advised in writing by the owner that the owner manufactured the same product or had it manufactured

for him during the calendar quarter of 1944 corresponding to the calendar quarter in which the rosin is to be put in process, and that the quantity offered can and will be charged against the owner's rosin quota.

(4) Quantities required to be charged against a rosin quota pursuant to this paragraph (d) shall be considered as having been put into process by the holder of the quota for the purpose of compliance with paragraph (b) above.

(e) (1) Method of computing rosin content of intermediate products. Since the provisions of this order refer not only to gum and wood rosin as such put into process in the making of Schedule A products, but also refer to the rosin con-

tent of intermediate products put into process for the manufacture of Schedule A products, it is necessary for manufacturers to determine rosin content of intermediate products in some cases, not only to determine quotas and quantities to be charged against quotas, but also for the purpose of inventory and reporting provisions. In figuring the rosin content of the intermediate products listed below, a manufacturer shall use the estimated rosin content appearing after each of those intermediate products in order to determine both his rosin quota and his current consumption. For all other intermediate products, the rosin content must be ascertained.

Intermediate products	Estimated rosin content (solvent free basis)
Esterified rosin.....	96 lbs. of rosin per 100 lbs. of rosin.
Rosin-modified phenolic resin.....	85 lbs. of rosin per 100 lbs. of rosin.
Heat-treated rosins.....	100 lbs. of rosin per 100 lbs. of heat-treated rosins.
Stabilized rosins.....	100 lbs. of rosin per 100 lbs. of stabilized rosins.
Polymerized rosins.....	100 lbs. of rosin per 100 lbs. of polymerized rosins.
Metal resins.....	90 lbs. of rosin per 100 lbs. of metal resins.
Rosin modified maleic or fumaric resins.....	80 lbs. of rosin per 100 lbs. of rosin.
Rosin modified phthalic alkyd resins.....	20 lbs. of rosin per 100 lbs. of alkyd resin.
Rosin oil.....	100 lbs. of rosin per 100 lbs. of rosin oil.

(2) Special exemption for certain intermediate products. No manufacturer shall include the rosin content of the following intermediate products for the purpose of calculating his past or current consumption of rosin in the manufacture of Schedule A products, or for the purpose of inventory or reporting provisions, notwithstanding any other provisions of this order:

Resinated colors.

Any intermediate products containing not more than 1% rosin by weight (solvent free basis).

(3) Special provisions for mixing and grinding vehicles. Any manufacturer who produces his own mixing or grinding vehicles for incorporation into Schedule A products which he himself produces, may charge his rosin consumption at the time he completes production of the mixing or grinding vehicle, if he so desires, instead of at the time when he uses the mixing or grinding vehicle in the manufacture of the Schedule A product. However, he must use the same timing basis in the production cycle for the purpose of computing current and base period consumption, and must continue to use the same timing basis for present and future computations under this order.

(f) Inventory restrictions on rosin.

(1) No manufacturer shall accept any delivery of gum or wood rosin which would result in his having more than a five months inventory of gum and wood rosin, based on his current rate of operation.

(2) No manufacturer shall accept delivery of any intermediate product, or produce any intermediate product, if his acceptance or production would result in his having more than a three months

inventory of that type of intermediate product, based on his current rate of operation.

(3) The term inventory refers to stocks owned by the manufacturer which are at factory, in intra-plant transfer, or stored elsewhere. However, nothing contained in this paragraph shall prevent a manufacturer from accepting one minimum standard commercial shipping unit if his inventory before acceptance is within the maximum limit set by this paragraph and if his inventory after acceptance is not more than twice the maximum limit set by this paragraph.

(g) Restrictions on delivery of gum and wood rosin, and of intermediate products. No producer or distributor of gum or wood rosin, or of any intermediate product, shall deliver such gum or wood rosin, or such intermediate product, and no manufacturer shall accept such delivery, unless the manufacturer certifies to the producer or distributor that his acceptance of delivery will not result in his having an inventory in excess of the applicable restrictions in paragraph (f) of this order. This certification, signed manually or as provided in Priorities Regulation 7, may be endorsed on or attached to the purchase order, and should read substantially as follows:

Inventory certified—Ref: M-387, paragraph (g).

(Name of purchaser)

By _____
(Name and title of duly authorized official)

(h) [Revoked May 30, 1945.]

(i) [Deleted Aug. 28, 1945.]

(j) Quarterly report. Each manufacturer who puts into process more than 2,700 pounds (5 drums) of rosin during any calendar quarter for the production

of Schedule A products, shall file a use and inventory report for that quarter on Form WPB-4131, in the manner prescribed therein, on or before the 20th day of the month following the close of that quarter. One copy of each report shall be retained and one copy shall be forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C.

(k) Appeals. Any appeal from this order must be filed by letter in duplicate addressed to the Chemicals Bureau, War Production Board, Washington 25, D. C., Ref: M-387, setting forth the reasons for the appeal and the necessary supporting information. Such information should include:

(1) The Schedule A product for which the rosin will be used.

(2) Period of time, not exceeding one calendar quarter, for which relief is requested.

(3) Monthly schedule of the amount of rosin appellant would like to use for the particular product and the portion of this which is in excess of the quota permitted by the order.

(4) If the appeal is for an increase in quota to fill government orders, state the name of the procuring agency, the end use description, prime contract numbers and dates when the orders were received.

(5) If the appeal is filed because the restrictions of the order will prevent the filling of orders of extreme urgency, give exact information as to the use of the product in which the rosin would be used and names of the customers.

(6) Any other information pertinent to the appeal.

NOTE: Undesignated paragraph deleted Aug. 28, 1945.

(l) Budget Bureau approval. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(n) Violations. Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(o) Communications to War Production Board. Communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-387.

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—ROSIN QUOTAS

NOTE: Schedule A amended in its entirety Aug. 28, 1945.

Rosin quota per calendar quarter	
Product:	
Foundry supplies.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Insecticides or disinfectants.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Oils and greases.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Paper and paperboard.....	70% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Pharmaceuticals.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Printing ink.....	85% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Rubber, natural and synthetic except rubber cement and rubber adhesives.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Rubber cements, rubber adhesives and rubber coatings for fabrics.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Finish for shoe leathers, shoe components made of leather, and binder for cork bottom filler for shoes, but not including shoe polish.....	100% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Textile shoe fabrics and felts, and binder for boxtoes and cork counter for shoes.....	70% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Adhesives.....	60% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Coated fabrics.....	60% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Linoleum and printed floor coverings.....	60% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Protective coatings including paints, varnishes, lacquers, etc.....	60% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Shoe polish.....	60% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.
Soap.....	55% of amount of rosin used in corresponding quarter of 1944 to fill all orders or 2700 lbs. (5 drums) whichever is greater.

NOTE: Schedule B deleted Aug. 28, 1945.

[F. R. Doc. 45-16073; Filed, Aug. 28, 1945; 11:32 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF
[Rubber Order R-1, Appendix I, as Amended May 30, 1945, Amdt. 3]

Appendix I, as amended May 30, 1945, is hereby further amended as follows:

1. By changing the first full paragraph immediately preceding Table A to read:

Appendix I to Rubber Order R-1 establishes general permitted uses for natural rubber, natural rubber latex, butyl (GR-I, dispersions) and Chlorinated natural rubber, and also lists the products which are permitted to be made from these raw materials for Government and civilian orders.

By amendment issued August 28, 1945, restrictions have been eliminated on the use of reclaimed rubber, aqueous dispersions of reclaimed rubber, scrap rubber

and the following synthetics: GR-S (all types), Neoprene (all types), Butadiene-Acrylonitrile types (Butaprene, Hycar, Chemigum, Perbunan, GR-A), Thiokol (all types), Polyisobutylene (Vistanex, Synthetic 100, Polybutene, GR-I-X), Miscellaneous (Vistac #1 and #2). Chlorinated rubber except Chlorinated natural rubber and these materials no longer appear in Table A below.

2. By changing Table A, General permitted uses of materials, to read:

TABLE A—GENERAL PERMITTED USES OF MATERIALS

Type of material	General permitted uses subject to applicable end product restrictions	Monthly consumption for experimental use without specific authorization ¹
Natural rubber or natural rubber latex.	In the manufacture of products listed in Table B below for which natural rubber or natural rubber latex is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	None.
Butyl (GR-I dispersions).	In the manufacture of products listed in Table B below for which butyl is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	200 lbs. Dispersions 250 lbs.
Chlorinated natural rubber.	As specifically authorized on Form WPB-3662.	None.

¹ Experimentation need not be confined to permitted uses. Materials in the amounts indicated may be diverted from inventory or from purchases for manufacturing operations. To purchase butyl rubbers, make applications to Sales Division, Office of Rubber Reserve, Reconstruction Finance Corp., Washington 25, D. C.

For permission to consume materials for experimental use, in excess of the amounts authorized, file Form WPB 2942, in accordance with § 4600.03 of this order.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16096; Filed, Aug. 28, 1945; 11:31 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended May 30, 1945, Amdt. 3]

Rubber Order R-1 as amended May 30, 1945, is hereby further amended as follows:

1. Change the list of materials appearing in § 4600.02, *Authorized consumption*, to read:

Natural Rubber
Natural Rubber Latex
Butyl
Chlorinated Natural Rubber

2. Change § 4600.03, *Permitted uses*, to read:

§ 4600.03 *Permitted uses.* No person shall use natural rubber, natural rubber latex, butyl (all types) or Chlorinated natural rubber except as provided for in Tables A and B of Appendix I to Rubber Order R-1, subject to the applicable manufacturing regulations of this order.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16095; Filed, Aug. 28, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER[General Preference Order M-388A, as
Amended April 14, 1945, Amdt. 1]

COTTON TEXTILES FOR CIVILIAN USE

Section 3290.352 *General Preference
Order M-388A* as amended April 14, 1945,
is further amended by deleting all of
paragraph (f).

Issued this 28th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.[F. R. Doc. 45-16074; Filed, Aug. 29, 1945;
11:31 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Amdt. 4 to Supp. Service Reg. 49]

AUTOMOTIVE REPAIR SERVICES

A statement of the considerations in-
volved in the issuance of this amend-
ment, issued simultaneously herewith,
has been filed with the Division of the
Federal Register.Supplementary Service Regulation 49
is amended in the following respects:1. A new sentence is added to § 1499.682
(e), to read as follows: "You must keep
a copy of each such sales slip or receipt
in your files for inspection by OPA."2. Section 1499.682 (a) (1) is amended
to read as follows:(1) A charge for labor resulting from
multiplication of your customer's hourly
rate established under RMFR 165 or any
applicable supplementary service regula-
tion by the hours or fractions of hours
which are specified in Appendix A, plus
actual time for jobs involving "frozen"
cylinder heads, where the customer has
given his oral or written consent to the
extra charge, plus3. Appendix A is amended to increase
the hours and fractions of hours which
appear therein as follows:

Previous time	Adjusted time	Previous time	Adjusted time
0.1	0.1	2.9	3.9
0.2	0.3	3.0	4.0
0.3	0.4	3.1	4.1
0.4	0.5	3.2	4.3
0.5	0.7	3.3	4.4
0.6	0.8	3.4	4.5
0.7	0.9	3.5	4.7
0.8	1.1	3.6	4.8
0.9	1.2	3.7	4.9
1.0	1.3	3.8	5.1
1.1	1.5	3.9	5.2
1.2	1.6	4.0	5.3
1.3	1.7	4.1	5.5
1.4	1.9	4.2	5.6
1.5	2.0	4.3	5.7
1.6	2.1	4.4	5.9
1.7	2.3	4.5	6.0
1.8	2.4	4.6	6.1
1.9	2.5	4.7	6.3
2.0	2.7	4.8	6.4
2.1	2.8	4.9	6.5
2.2	2.9	5.0	6.7
2.3	3.1	5.1	6.8
2.4	3.2	5.2	6.9
2.5	3.3	5.3	7.1
2.6	3.5	5.4	7.2
2.7	3.6	5.5	7.3
2.8	3.7	5.6	7.5

Previous time	Adjusted time	Previous time	Adjusted time	Previous time	Adjusted time	Previous time	Adjusted time
5.7	7.6	14.6	19.5	23.5	31.3	32.4	43.2
5.8	7.7	14.7	19.6	23.6	31.5	32.5	43.3
5.9	7.9	14.8	19.7	23.7	31.6	32.6	43.5
6.0	8.0	14.9	19.9	23.8	31.7	32.7	43.6
6.1	8.1	15.0	20.0	23.9	31.9	32.8	43.7
6.2	8.3	15.1	20.1	24.0	32.0	32.9	43.9
6.3	8.4	15.2	20.3	24.1	32.1	33.0	44.0
6.4	8.5	15.3	20.4	24.2	32.3	33.1	44.1
6.5	8.7	15.4	20.5	24.3	32.4	33.2	44.3
6.6	8.8	15.5	20.7	24.4	32.5	33.3	44.4
6.7	8.9	15.6	20.8	24.5	32.7	33.4	44.5
6.8	9.1	15.7	20.9	24.6	32.8	33.5	44.7
6.9	9.2	15.8	21.1	24.7	32.9	33.6	44.8
7.0	9.3	15.9	21.2	24.8	33.1	33.7	44.9
7.1	9.5	16.0	21.3	24.9	33.2	33.8	45.1
7.2	9.6	16.1	21.5	25.0	33.3	33.9	45.2
7.3	9.7	16.2	21.6	25.1	33.5	34.0	45.3
7.4	9.9	16.3	21.7	25.2	33.6	34.1	45.5
7.5	10.0	16.4	21.9	25.3	33.7	34.2	45.6
7.6	10.1	16.5	22.0	25.4	33.9	34.3	45.7
7.7	10.3	16.6	22.1	25.5	34.0	34.4	45.9
7.8	10.4	16.7	22.3	25.6	34.1	34.5	46.0
7.9	10.5	16.8	22.4	25.7	34.3	34.6	46.1
8.0	10.7	16.9	22.5	25.8	34.4	34.7	46.3
8.1	10.8	17.0	22.7	25.9	34.5	34.8	46.4
8.2	10.9	17.1	22.8	26.0	34.7	34.9	46.5
8.3	11.1	17.2	22.9	26.1	34.8	35.0	46.7
8.4	11.2	17.3	23.1	26.2	34.9	35.1	46.8
8.5	11.3	17.4	23.2	26.3	35.1	35.2	46.9
8.6	11.5	17.5	23.3	26.4	35.2	35.3	47.1
8.7	11.6	17.6	23.5	26.5	35.3	35.4	47.2
8.8	11.7	17.7	23.6	26.6	35.5	35.5	47.3
8.9	11.9	17.8	23.7	26.7	35.6	35.6	47.5
9.0	12.0	17.9	23.9	26.8	35.7	35.7	47.6
9.1	12.1	18.0	24.0	26.9	35.9	35.8	47.7
9.2	12.3	18.1	24.1	27.0	36.0	35.9	47.9
9.3	12.4	18.2	24.3	27.1	36.1	36.0	48.0
9.4	12.5	18.3	24.4	27.2	36.3	36.1	48.1
9.5	12.7	18.4	24.5	27.3	36.4	36.2	48.3
9.6	12.8	18.5	24.7	27.4	36.5	36.3	48.4
9.7	12.9	18.6	24.8	27.5	36.7	36.4	48.5
9.8	13.1	18.7	24.9	27.6	36.8	36.5	48.7
9.9	13.2	18.8	25.1	27.7	36.9	36.6	48.8
10.0	13.3	18.9	25.2	27.8	37.1	36.7	48.9
10.1	13.5	19.0	25.3	27.9	37.2	36.8	49.1
10.2	13.6	19.1	25.5	28.0	37.3	36.9	49.2
10.3	13.7	19.2	25.6	28.1	37.5	37.0	49.3
10.4	13.9	19.3	25.7	28.2	37.6	37.1	49.5
10.5	14.0	19.4	25.9	28.3	37.7	37.2	49.6
10.6	14.1	19.5	26.0	28.4	37.9	37.3	49.7
10.7	14.3	19.6	26.1	28.5	38.0	37.4	49.9
10.8	14.4	19.7	26.3	28.6	38.1	37.5	50.0
10.9	14.5	19.8	26.4	28.7	38.3	37.6	50.1
11.0	14.7	19.9	26.5	28.8	38.4	37.7	50.3
11.1	14.8	20.0	26.7	28.9	38.5	37.8	50.4
11.2	14.9	20.1	26.8	29.0	38.7	37.9	50.5
11.3	15.1	20.2	26.9	29.1	38.8	38.0	50.7
11.4	15.2	20.3	27.1	29.2	38.9	38.1	50.8
11.5	15.3	20.4	27.2	29.3	39.1	38.2	50.9
11.6	15.5	20.5	27.3	29.4	39.2	38.3	51.1
11.7	15.6	20.6	27.5	29.5	39.3	38.4	51.2
11.8	15.7	20.7	27.6	29.6	39.5	38.5	51.3
11.9	15.9	20.8	27.7	29.7	39.6	38.6	51.5
12.0	16.0	20.9	27.9	29.8	39.7	38.7	51.6
12.1	16.1	21.0	28.0	29.9	39.9	38.8	51.7
12.2	16.3	21.1	28.1	30.0	40.0	38.9	51.9
12.3	16.4	21.2	28.3	30.1	40.1	39.0	52.0
12.4	16.5	21.3	28.4	30.2	40.3	39.1	52.1
12.5	16.7	21.4	28.5	30.3	40.4	39.2	52.3
12.6	16.8	21.5	28.7	30.4	40.5	39.3	52.4
12.7	16.9	21.6	28.8	30.5	40.7	39.4	52.5
12.8	17.1	21.7	28.9	30.6	40.8	39.5	52.7
12.9	17.2	21.8	29.1	30.7	40.9	39.6	52.8
13.0	17.3	21.9	29.2	30.8	41.1	39.7	52.9
13.1	17.5	22.0	29.3	30.9	41.2	39.8	53.1
13.2	17.6	22.1	29.5	31.0	41.3	39.9	53.2
13.3	17.7	22.2	29.6	31.1	41.5	40.0	53.3
13.4	17.9	22.3	29.7	31.2	41.6	40.1	53.5
13.5	18.0	22.4	29.9	31.3	41.7	40.2	53.6
13.6	18.1	22.5	30.0	31.4	41.9	40.3	53.7
13.7	18.3	22.6	30.1	31.5	42.0	40.4	53.9
13.8	18.4	22.7	30.3	31.6	42.1	40.5	54.0
13.9	18.5	22.8	30.4	31.7	42.3	40.6	54.1
14.0	18.7	22.9	30.5	31.8	42.4	40.7	54.3
14.1	18.8	23.0	30.7	31.9	42.5	40.8	54.4
14.2	18.9	23.1	30.8	32.0	42.7	40.9	54.5
14.3	19.1	23.2	30.9	32.1	42.8	41.0	54.7
14.4	19.2	23.3	31.1	32.2	42.9	41.1	54.8
14.5	19.3	23.4	31.2	32.3	43.1		

Previous time	Adjusted time	Previous time	Adjusted time
41.2	54.9	45.6	60.8
41.3	55.1	45.7	60.9
41.4	55.2	45.8	61.1
41.5	55.3	45.9	61.2
41.6	55.5	46.0	61.3
41.7	55.6	46.1	61.5
41.8	55.7	46.2	61.6
41.9	55.9	46.3	61.7
42.0	56.0	46.4	61.9
42.1	56.1	46.5	62.0
42.2	56.3	46.6	62.1
42.3	56.4	46.7	62.3
42.4	56.5	46.8	62.4
42.5	56.7	46.9	62.5
42.6	56.8	47.0	62.7
42.7	56.9	47.1	62.8
42.8	57.1	47.2	62.9
42.9	57.2	47.3	63.1
43.0	57.3	47.4	63.2
43.1	57.5	47.5	63.3
43.2	57.6	47.6	63.5
43.3	57.7	47.7	63.6
43.4	57.9	47.8	63.7
43.5	58.0	47.9	63.9
43.6	58.1	48.0	64.0
43.7	58.3	48.1	64.1
43.8	58.4	48.2	64.3
43.9	58.5	48.3	64.4
44.0	58.7	48.4	64.5
44.1	58.8	48.5	64.7
44.2	58.9	48.6	64.8
44.3	59.1	48.7	64.9
44.4	59.2	48.8	65.1
44.5	59.3	48.9	65.2
44.6	59.5	49.0	65.3
44.7	59.6	49.1	65.5
44.8	59.7	49.2	65.6
44.9	59.9	49.3	65.7
45.0	60.0	49.4	65.9
45.1	60.1	49.5	66.0
45.2	60.3	49.6	66.1
45.3	60.4	49.7	66.3
45.4	60.5	49.8	66.4
45.5	60.7	49.9	66.5
		50.0	66.7

4. A new § 1499.682 (h) is added to SSR 49, to read as follows:

(h) Notwithstanding any of the foregoing provisions of SSR 49 relating to Appendix A, you may elect instead to follow the provisions of Appendix B by advising your War Price and Rationing Board, in writing, to that effect. Unless you have done so, you must price all operations listed in Appendix A in accordance with the appropriate provisions of SSR 49.

If you wish to withdraw an election to follow the provisions of Appendix B, you may do so merely by writing your War Price and Rationing Board to that effect. However, a withdrawal of your election to follow Appendix B is final.

5. Appendix B is added, to read as follows:

APPENDIX B—INVOICES; RECORDS

(a) *Invoices.* You must furnish each purchaser of repair services an invoice containing the following information and you must keep a copy thereof in your files for inspection by OPA:

- (1) Your name and address,
- (2) The date,
- (3) A brief description of each service supplied for which a separate charge is made,
- (4) (i) *If customer's hourly rate alone is used in pricing the service.*—The customer's hourly rate and the number of hours for which a charge is made (indicating overtime hours if charged for at overtime rates).
- (ii) *If flat rate manual or labor schedule is used in pricing the service.*—The title of the manual or schedule; the number or other identification of the operation; the custom-

er's hourly rate; and the number of hours for which a charge is made (indicating overtime hours if charged for at overtime rates).

(iii) *If fixed charge is used in pricing the service.*—The fixed charge (i. e., a charge not computed by means of a customer's hourly rate,

(5) Total labor charge,

(6) Parts and materials furnished, and charges therefor,

(7) Any other charge (and specific indication of its nature),

(8) Total charge.

(b) *Records.* If you have productive employees, you must keep the records indicated below and you must make such records available for OPA inspection. "Productive employees" are employees who actually do repair work, as distinguished—for example—from supervisory, clerical, or stockroom employees.

(1) Name of each productive employee, together with number of regular and overtime hours worked each day;

(2) Name of each productive employee, together with total of regular and overtime hours worked during each pay period, and the total regular and overtime wages paid to that employee for the pay period;

(3) Total number of hours worked during each pay period by all productive employees on equipment in the stock of the repair establishment or covered by a guarantee, as well as any other hours worked for which no charge was made to the customer.

To the extent that you are already keeping the records required by this provision, you satisfy its requirements, provided that such records are made available for OPA inspection.

6. The effective date of SSR 49 is amended to read October 10, 1945.

NOTE: The record-keeping and reporting requirements of this supplementary service regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective October 10, 1945, except as to item 6 it shall become effective September 1, 1945.

Issued this 27th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16005; Filed, Aug. 27, 1945; 4:44 p. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 44]

APPLICABILITY OF MAXIMUM PRICE REGULATIONS TO HAWAII

Supplementary Order 44 is redesignated Revised Supplementary Order 44 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this revised order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

§ 1305.56 *Applicability of maximum price regulations to the Territory of Hawaii.* (a) All maximum price regulations, temporary maximum price regulations, and schedules which have been issued by the Office of Price Administration prior hereto are hereby declared to be inapplicable to the Territory of Hawaii, except the following, which are hereby adopted and affirmed to be applicable to the Territory of Hawaii:

General Maximum Price Regulation for the Territory of Hawaii.

Maximum Price Regulation No. 1—Second Hand Machine Tools.

Restaurant Maximum Price Regulation No. 9—Ceiling Prices for Food and Drinks sold for immediate consumption on the Islands of Oahu, Hawaii and Maui.

Second Revised Maximum Price Regulation No. 19—Southern Pine Lumber.

Maximum Price Regulation No. 21—Formaldehyde.

Revised Maximum Price Regulation No. 26—Douglas Fir and Other West Coast Lumber.

Maximum Price Regulation No. 36—Acetone.

Maximum Price Regulation No. 37—Butyl Alcohol and Esters Thereof.

Revised Price Schedule No. 44—Douglas Fir Doors.

Revised Maximum Price Regulation No. 55—Second Hand Bags.

Revised Price Schedule No. 56—Reclaimed Rubber.

Maximum Price Regulation No. 61—Leather.

Revised Price Schedule No. 85—New Passenger Automobiles.

Maximum Price Regulation No. 88—Fuel Oil, Gasoline and Liquefied Petroleum Gas.

Revised Maximum Price Regulation No. 94—Western Pine and Associated Species of Lumber.

Maximum Price Regulation No. 111—New Household Vacuum Cleaners and Attachments.

Revised Maximum Price Regulation No. 119—Original Equipment, Tires, and Tubes.

Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.

Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities.

Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered by Dealers.

Maximum Price Regulation No. 133—Retail Prices for Farm Equipment.

Maximum Price Regulation No. 134—Construction and Road Maintenance Equipment Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services.

Second Revised Maximum Price Regulation No. 135—Retail Prices of Fertilizers and Materials.

Revised Maximum Price Regulation No. 136, Machines, Parts, and Industrial Equipment.

Revised Maximum Price Regulation No. 137—Petroleum Products Sold at Retail Establishments and certain other retail Sales of Liquefied Petroleum Gas.

Revised Maximum Price Regulation No. 139—Used Household Mechanical Refrigerators.

Maximum Price Regulation 140 (Sanitary Napkins and Tampons) as applied to Tampons (Appendix B).

Revised Maximum Price Regulation No. 143—Wholesale Prices for New Rubber Tires and Tubes.

Maximum Price Regulation No. 151—New Bags.

Maximum Price Regulation No. 154—Ice.

Revised Maximum Price Regulation No. 156—Canned Meat.

Maximum Price Regulation No. 158—Resale of War Bicycles—Distributors and Dealers.

Revised Maximum Price Regulation No. 162—Ceiling Prices for the Sale and Rental of Used Typewriters.

Revised Maximum Price Regulation No. 164—Western Softwood Shingles.

Revised Maximum Price Regulation No. 165—Services.

Revised Maximum Price Regulation No. 180—Color Pigments.

Maximum Price Regulation No. 181—New-Formula Condensed Soups Packed under WPB Conservation Order M-81.

Revised Maximum Price Regulation No. 192—Imported Tar Acids.

Revised Maximum Price Regulation No. 198—Silver.

Maximum Price Regulation No. 203—Vitamin A Natural Oils and Concentrates.

Maximum Price Regulation No. 253—Redwood Lumber and Mill Work.

Maximum Price Regulation No. 254—New Small Firearms and Firearms Parts.

Maximum Price Regulation No. 260—Cigars, Cigar Cuttings and Clippings.

Revised Maximum Price Regulation No. 290—Sitka Spruce Lumber.

Maximum Price Regulation No. 294—Used Household Vacuum Cleaners and Attachments for Used Household Vacuum Cleaners.

Maximum Price Regulation No. 297—Natural Resins.

Maximum Price Regulation No. 309—Platinum Group Metals and Their Products.

Revised Maximum Price Regulation No. 341—Maximum Prices for Used Commercial Motor Vehicles.

Maximum Price Regulation No. 350—Packers' Tin Cans and Condensed Milk Cans.

Maximum Price Regulation No. 372—Used Domestic Washing Machines.

Revised Maximum Price Regulation No. 373—Maximum Prices in the Territory of Hawaii.

Territorial Consumer Goods Regulation No. I—Certain Consumer Durable Goods, in the Territory of Hawaii, and Supplements thereto.

Maximum Price Regulation No. 380—Used Metal Coil and Flat Bedsprings.

Maximum Price Regulation No. 385—Specified Military Uniforms.

Maximum Price Regulation No. 402—Western Red Cedar Lumber.

Maximum Price Regulation No. 404—Potash.

Maximum Price Regulation No. 415—Certain Federal Government Purchases of Rubber Tires and Tubes.

Maximum Price Regulation No. 429—Certain Used Consumer Durable Goods.

Maximum Price Regulation No. 435—New Bicycle Tires and Tubes.

Maximum Price Regulation No. 491—Pressure Preservative Treatment of Forest Products and Pressure Treated Forest Products.

Maximum Price Regulation No. 510—Lubricating Oils, Greases and Certain Other Petroleum Products.

Maximum Price Regulation No. 516—Used Photographic Equipment.

Maximum Price Regulation No. 527—Used Domestic Gas Cooking Ranges.

(b) Any report required or permitted to be filed with the Office of Price Administration, Washington, D. C., by the provisions of any price regulation or schedule hereby adopted, or hereafter issued and made applicable to the Territory of Hawaii, shall instead be filed with the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu 2, T. H.

(c) Any records required to be kept by the provisions of any price regulation or schedule hereby adopted, or hereafter issued and made applicable to the Territory of Hawaii, shall be kept as provided therein, and shall be made available for examination by the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu 2, T. H.

(d) Notwithstanding the provisions for adjustment of maximum prices contained in any price regulation or schedule hereby adopted or hereafter issued and made applicable to the Territory of Hawaii, all adjustments of maximum prices and applications therefor in the

Territory of Hawaii shall be made in accordance with Procedural Regulation No. 7.

(e) *Amendments.* Any amendment or amendments to any of the foregoing listed regulations, hereafter made, shall automatically become applicable to the Territory of Hawaii unless the same, specifically and in terms, is made inapplicable. The statement that such an amendment is applicable to the 48 States and the District of Columbia shall not be construed as a specific exemption of the Territory of Hawaii from applicability.

(f) *Regulations hereafter made.* No regulation or order not related to or amending any of the foregoing listed regulations, hereafter made, shall be applicable to the Territory of Hawaii unless specifically made applicable by incorporation as an amendment to Revised Supplementary Order No. 44.

(g) Pricing regulations, including military orders with respect to the establishment, modification or adjustment of maximum prices for commodities and services in the Territory of Hawaii and referred to in General Order 49, which are not specifically enumerated in this Revised Supplementary Order or not specifically made applicable in accordance with its provisions, shall not be the basis for any price structure for commodities or services in the Territory of Hawaii.

This Revised Supplementary Order No. 44 shall become effective as of June 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 27th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16006; Filed, Aug. 27, 1945; 4:45 p. m.]

PART 1306—IRON AND STEEL

[RMFR 43¹]

USED STEEL DRUMS, PAILS AND CONTAINERS AND RECONDITIONING OF USED STEEL DRUMS

Maximum Price Regulation 43 is redesignated Revised Maximum Price Regulation 43 and is revised and amended to read as set forth herein. A statement of the considerations involved in the issuance of this Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THE REGULATION

Sec.

- 1 Commodities and services covered by this regulation and relationship to other regulations.
- 2 Geographical applicability.
- 3 Prohibitions against dealing in the sale of raw and reconditioned drums, pails and containers, and in the service of reconditioning raw steel drums at prices above the maximum.
- 4 Less than maximum prices.

ARTICLE II—MAXIMUM PRICES

- 5 Maximum prices for raw steel drums.
- 6 Maximum prices for reconditioned steel drums.

¹ 8 F.R. 13738; 9 F.R. 455, 10354.

Sec.

- 7 Maximum prices for raw pails and raw pail covers.
- 8 Maximum prices for reconditioned pails.
- 9 Maximum prices for raw containers.
- 10 Maximum prices for reconditioned containers.
- 11 Maximum prices for reconditioned stainless steel drums.
- 12 Maximum prices for the service of reconditioning raw steel drums with a capacity of 13 to 58 gallons, inclusive, and for the service of converting tight head drums to full open head drums.
- 13 Maximum prices for special types and sizes of raw or reconditioned drums, pails and containers.
- 14 Maximum prices when heresite or other acid and alkaline resistant high baked linings are applied.
- 15 Transportation charges.
- 16 Taxes.

ARTICLE III—GENERAL PROVISIONS

- 17 Definitions.
- 18 Petitions for amendment and applications for adjustment.
- 19 Adjustable pricing.
- 20 Records and Reports.
- 21 Licensing.
- 22 Evasion.
- 23 Enforcement.

AUTHORITY: Issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Commodities and services covered by this regulation and relationship to other regulations.* (a) This regulation applies to sales of raw or reconditioned steel drums, pails and containers.

(b) This regulation applies to all charges for the service of reconditioning raw steel drums with a capacity of 13 to 58 gallons, inclusive, and for the service of converting tight head drums to full open head drums.

(c) The provisions of this regulation supersede the provisions of any other maximum price regulations with respect to sales and services for which maximum prices are established by this regulation. The provisions of this regulation do not supersede the provisions of any orders issued under Supplementary Order 94—Sales by Government Agencies and Resales by Certain Buyers—and do not supersede the Second Revised Maximum Export Price Regulation with respect to sales for export or sales to an exporter.

(d) Maximum prices for the service of reconditioning raw steel drums of capacities other than from 13 to 58 gallons, inclusive, and maximum prices for the service of reconditioning raw pails and raw containers are not established by this regulation but are established by Maximum Price Regulation 581—Industrial Services.

(e) All orders or authorizations heretofore issued approving maximum prices in excess of the maximum prices established by this Revised Maximum Price Regulation 43 are hereby revoked.

SEC. 2. *Geographical applicability.* The provisions of this Regulation shall be applicable in the forty-eight States of the United States, the District of Columbia and the Territory of Puerto Rico.

SEC. 3. *Prohibitions against dealing in the sale of raw and reconditioned*

drums, pails and containers, and in the service of reconditioning raw steel drums at prices above the maximum. On and after the 4th day of September, 1945, regardless of any contract or other obligation:

(a) No person shall sell or deliver raw or reconditioned steel drums, pails or containers or furnish the service of reconditioning raw steel drums of a capacity of 13 to 58 gallons inclusive at prices higher than the maximum prices established by this regulation.

(b) No person shall buy or receive in the course of trade or business any raw or reconditioned steel drums, pails or containers or the service of reconditioning raw steel drums of a capacity of 13 to 58 gallons, inclusive, at prices higher than the maximum prices established by this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 4. *Less than maximum prices.* Lower prices and charges than those established by this regulation may be charged, demanded, paid or offered.

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Maximum prices for raw steel drums.* The maximum prices set forth below are established for the listed sizes of raw steel drums, constructed of steel sheets of 16 to 22 U. S. Standard gauge, inclusive. When sold by a person other than one who purchased for resale, these maximum prices are f. o. b. shipping point. When sold by a person who purchased for resale, these maximum prices include delivery within a 50 mile radius of the shipping point, when shipment is made by truck; when shipment is made by rail the drums shall be deemed to be delivered when loaded by the reseller on railroad cars. For shipment by truck more than 50 miles from the shipping point, the reseller may add to these maximum prices the transportation charges permitted by section 15 of this regulation. Where the reseller does not furnish delivery, then the applicable deduction for non-delivery as set forth below shall be made:

SOLD IN STATES OTHER THAN CALIFORNIA, OREGON, WASHINGTON, AND TERRITORY OF PUERTO RICO¹

Capacities in gallons	When sold by a person other than one who purchased for resale	When sold by a person who purchased for resale	Deduction for non-delivery
Over 12 to 19 incl.....	\$0.50	\$0.75	\$0.05
Over 19 to 33 incl.....	.75	1.05	.065
Over 33 to 58 incl.....	1.00	1.35	.10
Over 58 to 65 incl.....	1.45	1.90	.15

SOLD IN STATES OF CALIFORNIA, OREGON, AND WASHINGTON, AND TERRITORY OF PUERTO RICO¹

Capacities in gallons	When sold by a person other than one who purchased for resale	When sold by a person who purchased for resale	Deduction for non-delivery
Over 12 to 19 incl.....	\$0.60	\$0.85	\$0.05
Over 19 to 33 incl.....	.95	1.25	.065
Over 33 to 58 incl.....	1.40	1.75	.10
Over 58 to 65 incl.....	1.85	2.30	.15

¹ Where both shipping point and point of delivery are located in these states or in the territory of Puerto Rico; otherwise, the lower prices apply.

SEC. 6. *Maximum prices for reconditioned steel drums.* (a) The maximum prices set forth below are established for the listed sizes of reconditioned steel drums, constructed of steel sheets of 16 to 22 U. S. Standard gauge, inclusive. These maximum prices include delivery within a 50 mile radius of the shipping point when shipment is made by truck; when shipment is made by rail the drums shall be deemed to be delivered when loaded by the seller on railroad cars. For shipment by truck more than 50 miles from the shipping point the seller may add to these maximum prices the transportation charges permitted by section 15 of this regulation.

	Sold in States other than California, Oregon and Washington and Territory of Puerto Rico	Sold in States of California, Oregon and Washington and Territory of Puerto Rico ¹
Capacities in gallons	Reconditioned and delivered	Reconditioned and delivered
Over 12 to 19 incl.....	\$1.45	\$1.60
Over 19 to 33 incl.....	1.85	2.10
Over 33 to 58 incl.....	2.25	2.75
Over 58 to 65 incl.....	2.90	3.45

¹ Where both shipping point and point of delivery are located in these states or in the Territory of Puerto Rico; otherwise the lower prices apply.

(b) If a drum which is lined has been reconditioned so as to be suitable without further reconditioning for use as a food container, and is sold for use as a food container, then the applicable allowance as set forth below may be added to the maximum price. If painting is omitted, or if asphalt paint is used instead of varnish, enamel or lacquer, or if delivery as provided in paragraph (a) of this section is not furnished by the seller, then the applicable deduction as set forth below shall be made, except that if the drum is galvanized the deductions for omitting painting or for painting with asphalt need not be made.

Capacities in gallons	Food container allowance	Deduction for non-delivery	Deduction for omitting painting	Deduction for painting with asphalt
Over 12 to 19 incl.....	\$0.15	\$0.05	\$0.05	\$0.03
Over 19 to 33 incl.....	.20	.065	.075	.04
Over 33 to 58 incl.....	.25	.10	.10	.05
Over 58 to 65 incl.....	.30	.15	.125	.06

SEC. 7. *Maximum prices for raw pails and raw pail covers.* (a) The maximum prices set forth below are established for the listed sizes of raw pails, constructed of steel sheets of 20 to 29 U. S. Standard gauge, inclusive, f. o. b. shipping point:

Capacities in gallons	With covers	Without covers
From 1 to 2½ incl.....	\$0.10	\$0.05
Over 2½ to 3½ incl.....	.15	.07
Over 3½ to 4½ incl.....	.18	.09
Over 4½ to 5 incl.....	.20	.10
Over 5 to 6 incl.....	.25	.12
Over 6 to 8 incl.....	.29	.14
Over 8 to 10 incl.....	.33	.18
Over 10 to 11 incl.....	.37	.22
Over 11 to 12 incl.....	.40	.25

(b) *Raw pail covers.*

8½ inches.....	\$0.03
10½ inches.....	.04
11½ inches.....	.05
11¾ inches.....	.06

SEC. 8. *Maximum prices for reconditioned pails.* The maximum prices set forth below are established for the listed sizes of reconditioned pails, constructed of steel sheets of 20 to 29 U. S. Standard gauge, inclusive. These maximum prices include delivery within a 50 mile radius of the shipping point when shipment is made by truck; when shipment is made by rail the pails shall be deemed to be delivered when loaded by the seller on railroad cars. For shipment by truck more than 50 miles from the shipping point the seller may add to these maximum prices the transportation charges permitted by section 15 of this regulation. If pail is not furnished with an effective gasket, or if painting is omitted, or if delivery as provided herein is not furnished by the seller, then the applicable deduction as set forth below, shall be made.

Capacities in gallons	Reconditioned pails	Deduction for not furnishing effective gasket	Deduction for omitting painting	Deduction for non-delivery
From 1 to 2½ incl.....	\$0.31	\$0.02	\$0.03	\$0.02
Over 2½ to 3½ incl.....	.36	.02	.03	.02
Over 3½ to 4½ incl.....	.41	.02	.03	.02
Over 4½ to 5 incl.....	.45	.02	.03	.03
Over 5 to 6 incl.....	.57	.02	.03	.03
Over 6 to 8 incl.....	.68	.04	.05	.03
Over 8 to 10 incl.....	.79	.04	.05	.04
Over 10 to 11 incl.....	.90	.04	.05	.04
Over 11 to 12 incl.....	1.00	.04	.05	.04

SEC. 9. *Maximum prices for raw containers.* The maximum prices set forth below are established for the listed sizes of raw containers constructed of steel sheets lighter than 22 U. S. Standard gauge, f. o. b. shipping point.

Capacities in gallons	When sold by a person other than one who purchased for resale	When sold by a person who purchased for resale
20 gallons and less.....	\$0.15	\$0.25
Greater than 20 gallons.....	.25	.35

SEC. 10. *Maximum prices for reconditioned containers.* The maximum prices set forth below are established for the listed sizes of reconditioned containers. These maximum prices include delivery within a 50 mile radius of the shipping point, when shipment is made by truck; when shipment is made by rail the containers shall be deemed to be delivered when loaded by the seller on railroad cars. For shipment by truck more than 50 miles from the shipping point, the seller may add to these maximum prices the transportation charges permitted by section 15 of this regulation. Where the seller does not furnish delivery, then the applicable deduction for non-delivery, as set forth below, shall be made.

Capacities in gallons	Basically reconditioned	Totally reconditioned	Deduction for non-delivery
20 gallons and less	\$0.40	\$0.65	\$0.02
Greater than 20 gallons	.50	.75	.03

SEC. 11. *Maximum prices for reconditioned stainless steel drums.* The maximum price for reconditioned 16 U. S. Standard Gauge, 55 gallon drums constructed of 18% chrome-8% nickel stainless steel shall be \$35.00 per drum, f. o. b. shipping point.

SEC. 12. *Maximum prices for the service of reconditioning raw steel drums with a capacity of 13 to 58 gallons, inclusive, and for the service of converting tight head drums to full open head drums.* (a) The maximum prices for the service of reconditioning raw steel drums with a capacity of 13 to 58 gallons, inclusive, shall be as set forth below. If painting is omitted, then a deduction of 10¢ per drum shall be made.

IN STATES OTHER THAN CALIFORNIA, OREGON AND WASHINGTON AND TERRITORY OF PUERTO RICO

	13-28 gallons	29-58 gallons
Basic reconditioning	\$0.75	\$0.90
Total reconditioning	1.00	1.40

IN STATES OF CALIFORNIA, OREGON, AND WASHINGTON AND TERRITORY OF PUERTO RICO

	13-28 gallons	29-58 gallons
Basic reconditioning	\$0.95	\$1.10
Total reconditioning	1.25	1.65

(b) *Extras.* The charges listed below may be added to the maximum prices set forth in paragraph (a) of this section where the extra services specified below are performed at the request of the purchaser: *Provided*, That the total charge for extra services shall not exceed \$1.00 per drum, exclusive of any charge for chime welding; and *Provided, further*, That the extra charges are separately stated and itemized on the invoice, as provided by section 20 of this regulation.

	In States other than California, Oregon and Washington and Territory of Puerto Rico	In States of California, Oregon and Washington and Territory of Puerto Rico
Welding ¾" flange and furnishing bung and flange	\$0.25	\$0.35
Welding 1½" flange and furnishing bung and flange	.35	.45
Welding 2" flange and furnishing bung and flange	.40	.50
Welding leak above 1" in length or diameter but less than 2"	.25	.35
Welding leak 2" or more in length or diameter	.40	.50
Welding chime	1.25	1.50

(c) The maximum price for the service of converting a tight head drum to a full open head drum, by cutting out the

head and curling the chime so that a new head with lever lock or bolted ring closure may be installed, shall be \$0.50 per drum.

SEC. 13. *Maximum prices for special types and sizes of raw or reconditioned drums, pails and containers.* (a) Each person who proposes to sell raw or reconditioned steel drums, pails and containers of a capacity or gauge not specifically priced in this regulation, or of special construction, at a price in excess of the maximum prices listed in this regulation, shall submit the following information to the Office of Price Administration, Metals Price Branch, Washington (25), D. C.: Location and quantity of the drums, pails or containers to be sold, their capacities, gauges, description of construction, whether or not they are reconditioned, if reconditioned, when and by whom, acquisition price and proposed selling price, and whether such proposed selling price is a shipping point or delivered price, and if delivered, the point of destination.

The price proposed by such person shall be approved or disapproved within 14 days from the date receipt of application is acknowledged or from the date of submission of such further information which may be requested by the Office of Price Administration. In the event of disapproval, the Office of Price Administration shall establish a maximum price for the sale of the particular drums, pails, or containers described, which maximum price shall be forwarded in writing to the applicant simultaneously with the notice of disapproval. In the event the Office of Price Administration does not mail this approval or disapproval within 14 days as provided herein, the proposed selling price shall be deemed approved.

(b) Any person may sell a raw or reconditioned drum, pail or container, of special construction or of a capacity or gauge not specifically priced in this regulation at the maximum price listed in this regulation for the item most nearly comparable in capacity and gauge without obtaining approval as required in paragraph (a) above.

SEC. 14. *Maximum prices when heresite or other acid and alkaline resistant high baked linings are applied.* Each person who proposes to sell reconditioned drums or pails to which heresite or other acid and alkaline resistant high baked linings have been applied or who proposes to sell the service of applying heresite or other acid and alkaline resistant high baked linings to drums or pails shall submit the following information to the Office of Price Administration, Metals Price Branch, Washington 25, D. C.: Data showing cost of lining such drums or pails with heresite or other acid and alkaline resistant high baked linings over and above the total reconditioning costs; and the proposed selling price, or service charge proposed to be charged in addition to the charge for reconditioning established in this regulation.

The price proposed by such person shall be approved or disapproved within 14 days from the date receipt of applica-

tion is acknowledged or from the date of submission of such further information which may be requested by the Office of Price Administration. In the event of disapproval, the Office of Price Administration shall establish a maximum price for the sale of the particular drum or pail, or the particular service, which maximum price shall be forwarded in writing to the applicant simultaneously with the notice of disapproval. In the event the Office of Price Administration does not mail this approval or disapproval within 14 days as provided herein, the proposed price shall be deemed approved.

SEC. 15. *Transportation charges.* (a) Where pursuant to this regulation, the seller is permitted to add delivery charges to the maximum prices established by the regulation, the following charges may be added:

(1) For shipment by common carrier, the actual transportation charges paid or incurred by the seller.

(2) For shipment in a vehicle owned or controlled by the seller, the established railroad freight charges for transporting an identical quantity of the material from the railroad siding at or nearest the shipping point to the railroad siding at or nearest the point of delivery.

(b) Where the regulation requires free delivery within a 50 mile radius of the shipping point and the point of delivery is located outside this free delivery area, the seller may add the applicable transportation charges set forth in paragraph (a) of this section, provided that he first makes the deduction for non-delivery set forth in this regulation.

(c) Where shipment is made in a vehicle owned or controlled by the buyer, the seller may not add any transportation charges to the maximum prices, and, furthermore, must make the specified deduction for non-delivery.

SEC. 16. *Taxes.* Any tax upon, or in connection with, the sale of any commodities or services covered by this regulation incurred or paid by the seller may be collected from the purchaser in addition to the maximum price if the amount is stated separately on the invoice and if the statute or ordinance imposing the tax does not prohibit the seller from separately stating and collecting it.

ARTICLE III—GENERAL PROVISIONS

SEC. 17. *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States Government or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Drum" means any single walled, cylindrical or bilged steel shipping package, liquid tight, having a welded side seam, with a capacity of over 12 to 132 gallons inclusive, constructed of steel sheets 22 U. S. Standard gauge or heavier. The term shall not include pails or con-

tainers as defined herein or cans or high or low pressure gas cylinders.

(3) "Raw drum" means a used drum which has been emptied, but has not been reconditioned for reuse after the last emptying, or an unused drum which has been damaged or deteriorated to such an extent as to require reconditioning before it can be used as a shipping package.

(4) "Reconditioned drum" means a raw drum which has been subjected to either a basic or total reconditioning, as defined herein, necessary to make the raw drum fit for use as a shipping package.

(5) "Basic reconditioning" of a drum means subjecting the drum to the following services necessary to fit the drum for use as a shipping package: Inside and outside washing (or burning), scraping, painting, drying, inspection for leaks, replacement of gasket (except in open head drums), and pick-up and delivery in accordance with the reconditioner's customary practice.

(6) "Total reconditioning" of a drum means the performance of the basic reconditioning as defined in subparagraph (5) plus any or all of the following services which may be necessary to fit the drum for use as a shipping package or which may be required by the purchaser: Dedenting, chaining or tumbling, cooking and soaking, sandblasting, or steel brushing, straightening chimes and lugs, application of coating or lining required in food drums (except heresite or other acid and alkaline resistant high baked linings), and welding of all leaks up to and including one inch in length or diameter except chime or flange leaks.

(7) "Pail" means any steel shipping package, liquid tight, having a circular cross section with a welded seam on a straight or tapered side, constructed of steel sheets of 29 U. S. Standard gauge or heavier, having a capacity of 12 gallons or less, either closed or open head. The term shall not include drums or containers as defined herein or cans or high or low pressure cylinders.

(8) "Raw pail" means a used pail which has been emptied and has not been reconditioned for reuse after the last emptying, or an unused pail which has been damaged or deteriorated to such an extent as to require reconditioning to make it fit for use as a shipping package.

(9) "Reconditioned pail" means a raw pail which has been thoroughly cleaned, painted, and equipped with a properly fitting cover, effective gaskets, and subjected to any and all processes necessary to make the pail fit for use as a shipping package.

(10) "Container" means a steel shipping package other than a drum or pail, constructed of steel sheets lighter than 22 U. S. Standard gauge, either double seamed, soldered, lock seamed, spot welded, lap seamed, or riveted seamed, of a capacity of 132 gallons or less (for example: dyestuff cans, carbide cans, caustic soda cans, powder cans, etc.).

(11) "Raw container" means a used container which has been emptied but which has not been reconditioned for reuse after the last emptying; or an unused container which has been damaged

or deteriorated to such an extent as to require reconditioning to make it fit for use as a shipping package.

(12) "Basically reconditioned container" means a raw container which has been inspected, cleaned, and has had the head cut out and painted if necessary or required by the customer.

(13) "Totally reconditioned container" means a raw container which has been basically reconditioned as defined herein, and which has been subjected to any or all of the following services which may be necessary to make the container fit for use as a shipping package or which may be required by the purchaser: Dedenting, cooking and soaking, steel brushing, straightening chimes and lugs, or furnishing covers.

(14) "Shipping point" means the point at which the used steel drums, pails and containers are loaded aboard a truck for delivery when shipment is to be made to the plant of the purchaser by truck.

(15) "Point of delivery." Used steel drums, pails and containers are at the point of delivery, if shipped by truck, when they have arrived at the plant of the purchaser for unloading; or, if shipped by rail, when they have been loaded on board railroad cars.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 18. *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust any maximum prices established by this regulation for the service of reconditioning drums whenever it finds, from an application for adjustment, that the applicant has shown:

(1) That a substantial portion of his business consists of reconditioning of unusual types of drums which are extremely difficult and more costly to recondition (such as agitator or paint drums), describing the particular drums for which an adjustment is sought, and setting forth in what particulars the reconditioning process on said drums differs from the reconditioning of ordinary drums, and

(2) That the maximum prices set forth in this Regulation are inadequate to maintain continued reconditioning of such drums, and

(3) That the over-all returns from his business are insufficient to permit him to absorb the losses suffered by virtue of such reconditioning.

Applications for adjustment must be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 19. *Adjustable pricing.* Any person may agree to sell at a price which

may be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by letter or telegram when the contemplated revision might be the granting of an individual application for adjustment.

SEC. 20. *Records and reports.* (a) Every person making a sale in excess of \$10.00 of the commodities covered by this regulation shall render to the purchaser an invoice for each sale, listing each type of drum, pail, or container sold, delivery charges, if any, the price charged and the quantity of each size or type sold. The seller must also show on each invoice whether the drums, pails or containers were raw drums, pails or containers, or reconditioned drums, pails or containers, and the invoice must bear the words "Maximum prices do not exceed those established by Revised Maximum Price Regulation 43".

(b) Every person selling services covered by this regulation shall render to the purchaser of such services an invoice for each lot of drums reconditioned, listing the type and capacity of the drums reconditioned, whether the reconditioning operation was a basic or total reconditioning as defined in this regulation, or conversion of a tight head drum to a full open head drum, and if a total reconditioning, what services in addition to basic reconditioning were rendered, the extras, separately stated, if any, and the charges made therefor, and delivery charges, if any. Every invoice must bear the words "Maximum prices do not exceed those established by Revised Maximum Price Regulation 43".

(c) The invoices required in paragraphs (a) and (b) of this section shall be retained by the buyer and a copy thereof retained by the seller for as long as the Emergency Price Control Act of 1942, as amended, is in effect.

SEC. 21. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 22. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect means.

Sec. 23. *Enforcement.* Persons violating any provisions of this regulation shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Maximum Price Regulation 43 shall become effective September 4, 1945.

Issued this 28th day of August 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-16102; Filed, Aug. 28, 1945;
11:39 a. m.]

PART 1306—IRON AND STEEL

[MPR 46, Amdt. 1]

RELAYING RAIL, RELAYING GIRDER RAIL AND USED TRACK ACCESSORIES¹

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 46 is amended in the following respects:

1. Section 5 (b) is amended to read as follows:

(b) (1) Before any person shall sell relaying rail or used track accessories at the prices established in Appendix A, paragraph (c) and Appendix C, paragraph (c), he must file with the Office of Price Administration at Washington 25, D. C. a statement that he fulfills the following requirements at the location for which he seeks recognition:

(i) He maintains or will maintain stocks of relaying rail and used track accessories;

(ii) He maintains in operating condition equipment suitable in capacity and location for straightening, cropping and drilling rail and specifies such equipment;

(iii) He makes or will make regular and continuous sales of relaying rail or used track accessories;

(iv) He has adequate facilities for receiving and shipping relaying rail and used track accessories; and

(v) He maintains suitable office facilities at or near the location of his proposed warehouse.

He must obtain from the Office of Price Administration written recognition of his location as a relaying rail warehouse.

(2) Where any person can show that prior to January 1, 1942, he operated as a warehouse for the distribution of relaying rails and used track accessories, the Office of Price Administration may waive any of the requirements set forth in paragraph (1) of this section and authorize such persons to sell all or limited types

of relaying rail or used track accessories at the prices set forth in paragraph (c) of Appendix A and paragraph (c) of Appendix C.

(3) No temporary warehouse authorization may be granted for the purpose of handling individual or limited quantities of relaying rail.

(4) No person may sell relaying rail or used track accessories at the prices established in paragraph (c) of Appendix A and paragraph (c) of Appendix C from any other place than a warehouse authorized under this section.

(5) A storage point or yard not customarily operated as a warehouse is not a warehouse within the meaning of this section.

(6) Any authorization to sell relaying rails or used track accessories at the prices established in paragraph (c) of Appendix A and paragraph (c) of Appendix C will be suspended whenever equipment is removed from the location for which such authority is granted or whenever no sale of relaying rail or used track accessories has been made from such location for a period of six months.

2. The third paragraph of section 8 (a) has been amended to read as follows:

"Relaying rail" means used steel rail of any weight per yard (other than relaying girder rail, scrap rail or rerolling rail) which has been submitted to all reconditioning processes, if any, necessary to render it suitable for relaying purposes and which is to be used for relaying or for any purpose other than as scrap or rerolling rail. (Scrap rail and rerolling rail are covered by MPR 4—Iron and Steel Scrap.)

3. Section 12 has been added to read as follows:

Sec. 12. *Maximum prices for export.* The maximum prices for export sales of relaying rail or used track accessories shall be established under section 8 of the Maximum Export Price Regulation, as revised, issued by the Office of Price Administration.

This amendment shall become effective September 4, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16101; Filed, Aug. 28, 1945;
11:39 a. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 11]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS AND CERTAIN OTHER RETAIL SALES OF LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. The fifth unnumbered paragraph of Article II entitled "Two Special Pricing Methods for Motor Fuel", is amended to read as follows:

Special pricing method for motor fuel. Instead of using your March, 1942 price for motor fuel you may use the special pricing method for motor fuel set forth in section 9 (b). This method permits you to fix a maximum price for motor fuel which gives you a three-cent margin over the maximum tank wagon price of the reference seller for undivided dealers. The reference seller for your area is set forth in section 7 (1).

This amendment shall become effective the 4th day of September 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16100; Filed, Aug. 28, 1945;
11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 279, Amdt. 4]

HOPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Revised Maximum Price Regulation 279 is amended in the following respects:

1. Section 2 (a) (1) (v) is added to read as follows:

(v) "Imported hops" means hops produced outside the Continental United States and Canada.

2. Section 3 (g) is added to read as follows:

(g) *Maximum prices for imported hops of the 1945 and previous crops.* Any seller's maximum price, (including all commissions) for imported hops of the 1945 and previous crops in bales or in any other style of packing, including but not limited to wood cases, cylinders and packages, shall be \$1.21 per pound c. i. f. in bond at any Continental United States port or point of entry.

3. In section 5 the first sentence is amended to read as follows: "If a seller is unable to determine his maximum price for a particular sale of Pacific Coast or New York State baled hops of the 1944 or subsequent years' crops or for imported or Canadian hops of the 1945 or previous years' crops he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting authorization of a maximum price."

This amendment shall become effective September 4, 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16103; Filed, Aug. 28, 1945;
11:40 a. m.]

¹ 8 F.R. 5529.

¹ 8 F.R. 11586, 12442; 9 F.R. 286, 10922, 12413, 12535.

PART 1338—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,¹ Amdt. 60]

HOTELS AND ROOMING HOUSES

The rent regulation for hotels and rooming houses is amended in the following respects:

1. The last sentence of the third paragraph in section 2 (b) (6) is amended to read as follows: "Immediately upon issuance of the order, the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b), to the extent that the order requires the application of such rents, or in lieu thereof shall in a manner approved by the Area Rent Director, post advice that maximum rents for weekly or monthly terms of occupancy required by the order may be obtained from the landlord on request."

2. Section 5 (f) is added to read as follows:

(f) *Uniform daily rent.* The landlord of any establishment containing more than fifty rooms for which maximum rents on a daily basis are established, may petition the Administrator for permission to establish uniform maximum daily rents for substantially identical rooms for each number of occupants for which such rooms are offered for rent. Permission may be granted if the aggregate of the maximum daily rents requested for each group of substantially identical rooms for each number of occupants does not exceed the aggregate maximum daily rents previously established for such rooms for each number of occupants. With the consent of the Area Rent Director, minor adjustments may be permitted as between different classes of rooms and numbers of occupants providing such adjustments shall not result in an increase in aggregate scheduled revenue for the establishment as a whole. Each petition must be accompanied by a verified audit of the period or periods during which the maximum rents were established under section 4 on forms to be supplied by the Administrator. Such requirement may be waived if the Administrator already has in his possession a complete audit of such period or periods.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective September 1, 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16099; Filed, Aug. 28, 1945;
11:38 a. m.]

¹ 10 F.R. 3452, 3555, 3556, 3950, 4713, 5089, 5576, 5579, 6400, 7853, 7849, 7853, 8017.

PART 1338—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,¹

Amdt. 15]

HOTELS AND ROOMING HOUSES IN MIAMI AREA

The rent regulation for hotels and rooming houses in the Miami Defense-Rental Area is amended in the following respects:

1. The last sentence of the third paragraph in section 2 (b) (5) is amended to read as follows: "Immediately upon issuance of the order, the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b), to the extent that the order requires the application of such rents, or in lieu thereof shall in a manner approved by the Area Rent Director, post advice that maximum rents for weekly or monthly terms of occupancy required by the order may be obtained from the landlord on request."

2. Section 5 (f) is added to read as follows:

(f) *Uniform daily rent.* The landlord of any establishment containing more than fifty rooms for which maximum rents on a daily basis are established, may petition the Administrator for permission to establish uniform maximum daily rents for substantially identical rooms for each number of occupants for which such rooms are offered for rent. Permission may be granted if the aggregate of the maximum daily rents requested for each group of substantially identical rooms for each number of occupants does not exceed the aggregate maximum daily rents previously established for such rooms for each number of occupants. With the consent of the Area Rent Director, minor adjustments may be permitted as between different classes of rooms and numbers of occupants providing such adjustments shall not result in an increase in aggregate scheduled revenue for the establishment as a whole. Each petition must be accompanied by a verified audit of the period or periods during which the maximum rents were established under section 4 on forms to be supplied by the Administrator. Such requirement may be waived if the Administrator already has in his possession a complete audit of such period or periods.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective September 1, 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16097; Filed, Aug. 28, 1945;
11:38 a. m.]

¹ 10 F.R. 318, 2405, 5090, 9445.

PART 1338—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,¹ Amdt. 21]

HOTELS AND ROOMING HOUSES IN NEW YORK CITY AREA

The rent regulation for hotels and rooming houses in the New York City Defense-Rental Area is amended in the following respects:

1. The last sentence of the third paragraph in section 2 (b) (5) is amended to read as follows: "Immediately upon issuance of the order, the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b), to the extent that the order requires the application of such rents, or in lieu thereof shall in a manner approved by the Area Rent Director, post advice that maximum rents for weekly or monthly terms of occupancy required by the order may be obtained from the landlord on request."

2. Section 5 (f) is added to read as follows:

(f) *Uniform daily rent.* The landlord of any establishment containing more than fifty rooms for which maximum rents on a daily basis are established, may petition the Administrator for permission to establish uniform maximum daily rents for substantially identical rooms for each number of occupants for which such rooms are offered for rent. Permission may be granted if the aggregate of the maximum daily rents requested for each group of substantially identical rooms for each number of occupants does not exceed the aggregate maximum daily rents previously established for such rooms for each number of occupants. With the consent of the Area Rent Director, minor adjustments may be permitted as between different classes of rooms and numbers of occupants providing such adjustments shall not result in an increase in aggregate scheduled revenue for the establishment as a whole. Each petition must be accompanied by a verified audit of the period or periods during which the maximum rents were established under Section 4 on forms to be supplied by the Administrator. Such requirement may be waived if the Administrator already has in his possession a complete audit of such period or periods.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective September 1, 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16098; Filed, Aug. 28, 1945;
11:38 a. m.]

¹ 10 F.R. 324, 1452, 2404, 2617, 5090, 9445.

PART 1397—CONSTRUCTION OF BUILDINGS
AND STRUCTURES

[MPR 583, Amdt. 1]

PREFABRICATED NON-DWELLING STRUCTURES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 583 is amended in the following respects:

1. A new paragraph (d) is added to section 1 to read as follows:

(d) Neither this regulation nor any other price regulation shall apply to sales of products covered by this regulation by a manufacturer of prefabricated non-dwelling structures making sales direct to users if he is not a retail lumber yard dealer or an employee or agent thereof except that this exemption shall not apply where his gross sales of products covered by this regulation exceeds \$5,000.00 in any calendar year.

2. Section 3 (b) (1) is amended to read as follows:

(1) Retail selling price of the net number of board feet of lumber in the structure not exceeding the maximum price established under the applicable regulation, plus 7½ percent for wastage.

(i) The retail selling price, in the case of new softwood lumber and hardwood flooring, shall not exceed the maximum prices (for softwood lumber, based on random lengths) in Second Revised Maximum Price Regulation 215 (Distribution Yard Sales of Softwood) for retail distribution lumber yards for quantities of over 1000 feet B. M.

(ii) The retail selling price, in the case of new hardwood lumber, shall not exceed the maximum price computed by the use of the mark-up applicable to grades of 2A common or lower priced on sales of 5000 feet B. M. or less as provided in Revised Maximum Price Regulation 467 (Distribution Yard Sales of Hardwood Lumber).

(iii) The retail selling price in the case of used lumber shall not exceed the maximum price established under the General Maximum Price Regulation or as determined under the provisions of General Order 61, whichever is applicable.

3. An unnumbered paragraph is added to section 3 (b) to read as follows:

Once a maximum price has been established hereunder that price remains fixed for that item unless it becomes a "changed item" as defined in paragraph (d).

4. Section 4 (b) (1) is amended to read as follows:

(1) Cost of the net board feet of lumber in the structure plus 7½ percent for wastage figured as follows:

(i) For new lumber—Maximum f. o. b. mill price, on carload basis, under the maximum price regulation governing the particular species of lumber for random lengths, plus freight for that species also calculated in carload quantities.

(ii) For used lumber—The lower of the following: actual cost; or the maximum

price established under the GMPR or as determined under the provisions of General Order 61, whichever is applicable.

5. Section 14 is amended to read as follows:

SEC. 14. *Records and invoices*—(a) *Records*. Sellers subject to this regulation shall keep available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of each sale or delivery showing the name and address of the purchaser, date of sale, description of the item, the net price received, the species, grades, quantities, sizes and workings of the lumber used and the computation of the price under the pricing methods of the regulation.

(b) *Invoices*. Where sales are made upon the basis of erection or installation upon delivery and erection or installation charges are made as provided in sections 3 (c) (2), 4 (c) (2), 5 (c) (2), 6 (c) (2) and 6 (d) (2), the seller shall furnish each purchaser with an invoice showing separately the price charged for the structure and such additional charges.

6. A new section 15 is added to read as follows:

SEC. 15. *Posting*. Where products covered by this regulation are sold pursuant to sections 3 and 6 thereof the sellers thereunder shall post conspicuously in the office of the manufacturer or dealer where such products are offered for sale the maximum price of every item of which the seller has sold ten (10) or more units in the twelve-month period since July 1, 1944, or in any twelve-month period subsequent thereto. Said posting shall include the following:

1. Adequate description of the item so that it is clearly identifiable with the records as kept under Section 14.

2. Maximum price of the item. Products whose prices are posted under this Section are exempt from the requirements of Section 13.

The posting required hereunder shall be in such manner that it can be easily read and that purchasers can approach within a distance of two feet.

This Amendment No. 1 shall become effective September 4, 1945.

NOTE: The record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16104; Filed, Aug. 28, 1945; 11:40 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 426, Amdt. 141]

FRESH FRUITS AND VEGETABLES FOR TABLE
USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amend-

¹ 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8238, 8467, 8611, 8657, 8905, 8936, 9023, 9023, 9023, 9118, 9119, 9277, 9447, 9628, 9928, 10025.

ment has been issued and filed with the Division of the Federal Register.

In Appendix K, Table 2, (Maximum Prices for Juice Grapes Grown in California and Table Grapes Grown in California and Arizona), footnote 5 is amended to read as follows:

² Maximum prices for table grapes from the beginning of the season through August 10, (Items 5 and 9) shall apply also through August 25, 1945, to table grapes shipped from shipping point on or before August 10, 1945.

This amendment shall become effective as of 12:01 a. m., August 21, 1945.

Issued this 27th day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-16004; Filed, Aug. 27, 1945; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Rev. Supp. Service Reg. 18, Amdt. 3]

LOWER PRICED SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplemental Service Regulation 18 is amended in the following respects:

1. Section 1499.670 (a) is amended to read as follows:

(a) A seller of service subject to Revised Maximum Price Regulation 165 may not discontinue or fail to supply a service for which he has an established maximum price under the regulation and sell or offer to sell in its place a higher priced service; nor may a seller who has obtained a price for a service under the provisions of section 4 (c) of RMPR 165 fail to offer or discontinue his competitor's lower priced service while selling or offering to sell in its place a higher priced service for which his competitor had also established a price under the regulation, unless one or more of the following conditions exist:

(1) That specialized equipment or supplies requisite to a continuance of the particular service are not available; or

(2) That the continuance of the particular service would be in violation of or would be rendered impracticable by a governmental order or regulation, or that it would be contrary to governmentally established standards or policies; or

(3) That discontinuance of the particular service will enable the seller to maintain other services more necessary to the community directly concerned.

2. Section 1499.670 (b) is amended to read as follows:

(b) A seller discontinuing or failing to supply a service within the above provisions must, unless otherwise permitted to do so by a general permissive order, certify by registered mail, for which a return receipt has been requested, to

the appropriate OPA office the existence of one or more of the conditions stated in paragraph (a). Unless sufficient facts are given to support the certification, the request will be denied and an opportunity given to the seller to furnish additional evidence.

A seller discontinuing or failing to supply a service except as permitted under this regulation or by a general permissive order is evading the Emergency Price Control Act of 1942, as amended, and is violating Revised Maximum Price Regulation 165.

This amendment shall become effective September 4, 1945.

Issued this 28th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16105; Filed, Aug. 28, 1945; 11:39 a. m.]

Chapter XIII—Petroleum Administration for War

[Recommendation 11, Revocation]

PART 1505—TRANSPORTATION

TANKERS

Recommendation No. 11 of the Office of Petroleum Coordinator for National Defense, 6 F.R. 5537, is hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15939; Filed, Aug. 27, 1945; 11:10 a. m.]

[Recommendation 12, Amdt., Revocation]

PART 1505—TRANSPORTATION

EXCESS COSTS AND COMPENSATING REVENUES

Section 1505.19 through § 1505.22 (Recommendation No. 12, Amendment, of the Office of Petroleum Coordinator for National Defense) are hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15941; Filed, Aug. 27, 1945; 11:10 a. m.]

[Recommendation 44, Revocation]

PART 1505—TRANSPORTATION

UTILIZATION OF TANK CARS

Section 1505.73 and § 1505.74 (Recommendation No. 44 of the Office of Petroleum Coordinator for War) are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

No. 170—5

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15942; Filed, Aug. 27, 1945; 11:11 a. m.]

[Recommendation 49, Revocation]

PART 1505—TRANSPORTATION

UTILIZATION OF FACILITIES OTHER THAN TANK CARS

Section 1505.76 through § 1505.84 (Recommendation No. 49 of the Office of Petroleum Coordinator for War) are hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687).

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15943; Filed, Aug. 27, 1945; 11:11 a. m.]

[Recommendation 51, Revocation]

PART 1505—TRANSPORTATION

UTILIZATION OF BARGES

Sections 1505.88 through 1505.96, inclusive, (Recommendation No. 51 of the Office of Petroleum Coordinator for War) are hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15945; Filed, Aug. 27, 1945; 11:11 a. m.]

[Petroleum Directive 50, Revocation]

PART 1510—SUPPLY

ADDITIONAL AND SUPPLEMENTAL MEANS OF TRANSPORTATION

Section 1510.1 through § 1510.4 inclusive, § 1510.7, and § 1510.11 through § 1510.14 inclusive (Petroleum Directive No. 50 of the Office of Petroleum Coordinator for War) are hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15944; Filed, Aug. 27, 1945; 11:11 a. m.]

[PAO 8, Revocation]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

RESTRICTIONS ON DRILLING OF WELLS IN BARNHART FIELD OF REAGAN COUNTY, TEX.

Section 1515.3 (Petroleum Administrative Order No. 8) is hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Public Law 671, 76th Cong.; as amended by Public Laws 89 and 507, 77th Cong.; Public Law 509, 78th Cong.)

Issued: August 28, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15937; Filed, Aug. 27, 1945; 11:10 a. m.]

[PAO 11, and Supplementary Orders Thereto, Revocation]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

Sections 1515.6, 1515.7, 1515.8 1515.9, 1515.10, 1515.11, 1515.12, 1515.13, 1515.14, 1515.15, 1515.16, 1515.17, 1515.18, 1515.19, 1515.20, 1515.21, 1515.22 (Petroleum Administrative Order No. 11, as amended July 1, 1944, Amendments Nos. 1 and 2 thereto, and Supplementary Orders Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 to Petroleum Administrative Order No. 11, each as amended from time to time) are hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; E.O. 9125, 7 F.R. 2719; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Public Law 671, 76th Cong.; Public Laws 89 and 507, 77th Cong.; Public Law 509, 78th Cong.)

Issued: August 28, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15938; Filed, Aug. 27, 1945; 11:10 a. m.]

[PAO 5, as Amended Sept. 24, 1943, Revocation]

PART 1545—PETROLEUM SUPPLY

MOVEMENT OF PETROLEUM PRODUCTS INTO EAST COAST AREA

Section 1545.2 (Petroleum Administrative Order No. 5, as amended September 24, 1943) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong.; Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 78th Cong.)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15936; Filed, Aug. 27, 1945; 11:12 a. m.]

[PAO 23, as Amended July 31, 1945, Revocation]

PART 1545—PETROLEUM SUPPLY

LIMITATION ON SHIPMENT OF RESIDUAL FUEL OIL AND ASPHALT

Section 1545.7 (Petroleum Administrative Order No. 23, as amended July

31, 1945) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong.; Pub. Laws 89 and 507, 77th Cong.; Pub. Law 509, 76th Cong.)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15940; Filed, Aug. 27, 1945;
11:12 a. m.]

[Petroleum Directive 65, as Amended March 15, 1944, Revocation]

PART 1545—PETROLEUM SUPPLY

TRANSPORTATION OF PETROLEUM IN DESIGNATED WESTERN AND SOUTHERN STATES

Section 1545.5 (Petroleum Directive 65, as amended March 15, 1944) is hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15946; Filed, Aug. 27, 1945;
11:11 a. m.]

[Petroleum Directive 67, Revocation]

PART 1545—PETROLEUM SUPPLY

OPERATIONS IN DISTRICT THREE

Section 1545.6 (Petroleum Directive 67) is hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15947; Filed, Aug. 27, 1945;
11:11 a. m.]

[Petroleum Directive 81, Revocation]

PART 1545—PETROLEUM SUPPLY

CRUDE PETROLEUM, ASPHALT AND RESIDUAL FUEL OIL

Section 1545.8 (Petroleum Directive 81) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15950; Filed, Aug. 27, 1945;
11:12 a. m.]

[PAO 15, Revocation]

PART 1570—MATERIAL CONSERVATION—PIPE LINES, TERMINALS AND REFINING

PETROLEUM GATHERING, MOVEMENT, AND REFINING

Section 1570.1 (Petroleum Administrative Order No. 15, as amended July 14, 1945) is hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; E.O. 9125, 7 F.R. 2719; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Public Law 671, 76th Cong.; Public Laws 89 and 507, 77th Cong.; Public Law 509, 78th Cong.)

Issued: August 28, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15951; Filed, Aug. 27, 1945;
11:10 a. m.]

[PAW Materials Redistribution Program 2, Revocation]

PART 1575—PETROLEUM INDUSTRY

REDISTRIBUTION OF CERTAIN CRITICAL MATERIALS

Section 1575.2 (PAW Materials Redistribution Program No. 2) is hereby revoked, effective September 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Public Law 671, 76th Cong.; as amended by Public Laws 89 and 507, 77th Cong.; Public Law 509, 78th Cong.)

Issued: August 28, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15935; Filed, Aug. 27, 1945;
11:10 a. m.]

[Petroleum Directive 78, Revocation]

PART 1577—PETROLEUM INDUSTRY—DISTRICT THREE

SUPPLY PROGRAM IN DISTRICT 3

Section 1577.1 (Petroleum Directive No. 78) is hereby revoked, effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15949; Filed, Aug. 27, 1945;
11:11 a. m.]

[Petroleum Directive 69, as Amended May 29, 1944, Revocation]

PART 1585—TRANSPORTATION

USE OF INLAND WATERWAY EQUIPMENT IN GREAT LAKES-NEW YORK AREA

Section 1585.1 (Petroleum Directive 69, as amended May 29, 1944) is hereby revoked effective September 25, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued: August 25, 1945.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 45-15948; Filed, Aug. 27, 1945;
11:11 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 78]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

RECONVERSION PRICING

For the purpose of adjusting the price controls of industries reconverting from war to civilian production so as to correct maladjustments in prices which might interfere with effective transition from war to peace, as directed by Executive Order No. 9599, the Office of Price Administration, with my approval, has issued an amendment to Maximum Price Regulation 188 ("Manufacturers' Maximum Prices for Specified Consumer Goods Other Than Apparel") authorizing the issuance by the Price Administrator of orders under which increases in the maximum prices of reconverting industries may be permitted. This amendment sets forth the basis for the issuance of such orders and the principles which will govern the increases in maximum prices authorized by them. It also authorizes the inclusion in the orders of appropriate special provisions for pricing reconversion products for which maximum prices have not yet been established, for the reasonable absorption of manufacturers' increases at later levels of distribution, and for assuring, where necessary, balanced programs of production and distribution and the production of the lower-priced lines of reconversion products. The reasons underlying the provisions of this amendment are fully developed in the Statement of Considerations accompanying its issuance.

Although a considerable proportion of the products of reconverting industries are subject to Maximum Price Regulation No. 188, there are a number of other such products which are subject to other maximum price regulations. Increases in the maximum prices established by these regulations must be authorized by amendments to, or orders issued under the authority of, such regulations or by the issuance of superseding regulations. Any such action hereafter issued, which has for its purpose the effectuation of the objectives of the amendment to Maximum Price Regulation No. 188, described above, and which effectuates such purposes by provisions similar to and consistent with those authorized by that amendment, is hereby approved as in accordance with the Stabilization Act of 1942, as amended, and

with Executive Order No. 9599. In connection with any such action, the Price Administrator shall make appropriate provision for the exclusion from consideration of any wage or salary adjustment instituted under the authority of section 1 of title IV of Executive Order 9599, authorizing wage or salary increases through collective bargaining or voluntary action on certain conditions. (E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267; E.O. 9599, 10 F.R. 10155)

Issued and effective this 25th day of August 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-15995; Filed, Aug. 27, 1945;
3:11 p. m.]

Chapter XX—Office of Contract Settlement

[Reg. 16, Amdt. 1]

PART 8007—PROGRAM FOR LIMITED COMPANY-WIDE SETTLEMENT OF TERMINATION CLAIMS

REGULATIONS OF DESIGNATED AGENCY

Regulation No. 16 of this Office is hereby amended as follows:

1. Section 8007.6 (b) thereof, which reads:

(b) That the designated agency will give to the war contractor liable to the assigned contractor the notice required by section 7 (d) of the act, and will give to the contracting officer under each prime contract involved notice of each termination claim that may be included in the scope of company-wide settlement, and an opportunity to present any objections which such contracting officer may have to inclusion of the claim under company-wide settlement;

is modified to read:

(b) That the designated agency will give to the war contractor liable to the assigned contractor the notice required by section 7 (d) of the act;

2. There is deleted in its entirety paragraph (c) of § 8007.6, which reads:

(c) That the designated agency exclude any claim from company-wide settlement when advised by the contracting officer under the prime contract involved that such exclusion is in the interest of continued war production;

3. Paragraphs (d), (e) and (f) of § 8007.6 are renumbered respectively, (c), (d) and (e).

ROGER L. PUTNAM,
Acting Director.

AUGUST 27, 1945.

[F. R. Doc. 45-16053; Filed, Aug. 28, 1945;
10:59 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Docket No. 3666]

PARTS 71-85—TRANSPORTATION OF EXPLOSIVES¹

MISCELLANEOUS AMENDMENTS

In the matter of regulations for transportation of explosives and other dangerous articles.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of August, A. D. 1945.

Article	Classed as	Exemptions and packing (see sec.)	Label	Maximum quantity one package by express
(Add) Vinyl chloride, inhibited. Monochloroethylene, See Vinyl chloride.	Inf. G	302, 303	Red	Pounds 20

¹ Parts 2, 3 and 7 in this order appear in CFR as Parts 73, 75 and 85.

Part 3—Regulations Applying to Shippers (CFR 75)

Amending par. (k), section 303, order Aug. 16, 1940, as follows:

Kind of gas	Maximum permitted filling density (see sec. 303 (b))	Cylinders* marked as shown in this column must be used except as provided in Note 1 and sec. 303 (p) (2) to 303 (p) (6)
(Add): Vinyl chloride, inhibited. (See Note 7.)	Per- cent 84	ICC-4B300, without brazed seams; ICC-3A300; ICC-25.

(Add):

NOTE 7. All parts of valves and safety devices in contact with contents of cylinders must be of steel or must be suitably treated to prevent possible formation of copper acetylide.

Amending item of table, par. (q) (1), section 303, order Aug. 16, 1940, as follows:

Name of gas	Maximum permitted filling density (see Note 1)	Required type of tank car, Note 2
(Add): Vinyl chloride, inhibited. (See Note 16)	Per- cent 84 87	ICC-106A500, note 12. ICC-105A300.

(Add):

NOTE 16. All parts of valves and safety devices in contact with contents of tank must be of steel or must be suitably treated to prevent possible formation of copper acetylide.

¹ Parts 2, 3 and 7 in this order appear in CFR as Parts 73, 75 and 85.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles.

It is ordered, that the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby amended as follows:

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Amending list, section 4, order Aug. 16, 1940, as follows:

Superseding and amending par. (q) (1), note 12, section 303, order January 25, 1945, as follows:

NOTE 12. Tanks complying with specification 106A500, containing chlorine, anhydrous ammonia, sulfur dioxide, methyl chloride, dichlorodifluoromethane, monochlorodifluoromethane, monochlorotetrafluoroethane, vinyl chloride, inhibited, may be transported on trucks or semitrailers only, when securely chocked or clamped thereon to prevent shifting, and provided adequate facilities are present for handling tanks where transfer in transit is necessary. See par. (b) (2), sec. 560, for rail freight-motor vehicle shipments.

Part 7—Regulations Applying to Shipments Made by Way of Common, Contract and Private Carriers by Public Highway (CFR 85)

Superseding and amending par. (g) 3, section 824, order January 25, 1945, as follows:

(g) (3) Tanks complying with specification 106A500, containing chlorine, anhydrous ammonia, sulfur dioxide, methyl chloride, dichlorodifluoromethane, monochlorodifluoromethane, monochlorotetrafluoroethane, or vinyl chloride, inhibited, may be transported on trucks or semitrailers only, when securely chocked or clamped thereon to prevent shifting, and provided adequate facilities are present for handling tanks where transfer in transit is necessary. See par. (b) (2), section 560 for rail freight-motor vehicle shipments.

It is further ordered, That this order shall become effective on August 22, 1945, and shall remain in full force and effect until further order of the Commission;

And it is further ordered, That a copy of this order shall be served upon all parties of record herein; and notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 232-236, 41 Stat. 1444-1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1237, sec.

20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-15922; Filed, Aug. 27, 1945;
10:59 a. m.]

[S. O. 350-A]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF LIVE POULTRY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of August, A. D. 1945.

Upon further consideration of the provisions of Revised Service Order No. 350 (10 F.R. 9929), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 350 (10 F.R. 9929), Permit required for shipment of live poultry, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m., August 27, 1945; that a copy of this order and direction shall be served upon the State railroad regulatory bodies of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, and Indiana; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-16061; Filed, Aug. 28, 1945;
11:10 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT L-3, as Amended, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF POULTRY FROM OR WITHIN DESIGNATED AREAS

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT L-3, as amended, §§ 504.20 to 504.23, inclusive (9 F.R. 14307, 10 F.R. 161, 5603, 9721), is hereby revoked effective August 27, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 27th day of August 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16049; Filed, Aug. 28, 1945;
10:49 a. m.]

[General Order ODT L-4, as Amended, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT L-4, as amended, §§ 504.30 to 504.33, inclusive (9 F.R. 14502, 10 F.R. 1245, 1705, 2448, 3290, 4505, 5961, 6598, 7814, 8293, 8752), is hereby revoked effective August 27, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 27th day of August 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16050; Filed, Aug. 28, 1945;
10:49 a. m.]

[General Order ODT L-6, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF POULTRY WITHIN OR FROM DESIGNATED AREA

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT L-6, §§ 504.24 to 504.28, inclusive (10 F.R. 9721), is hereby revoked effective August 27, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 27th day of August 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16051; Filed, Aug. 28, 1945;
10:49 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[P. & S. Docket No. 308]

MARKET AGENCIES AT SIOUX CITY STOCK YARDS, SIOUX CITY, IOWA

NOTICE OF PETITION FOR MODIFICATION

By an order entered on July 25, 1931, issued pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), the Acting Secretary of Agriculture prescribed maximum reasonable rates and charges to be observed by the respondents. From time to time this order has been modified by supplemental consent orders.

By a petition filed with the hearing clerk on August 14, 1945, which is set out below, the respondents requested that a supplement (Supplement No. 2) to their existing commission tariff No. 14 be accepted. The petition states that the charge provided for in the supplement is to cover services in connection with

certifications to enable consignors to collect subsidy payments which may be due them under the cattle subsidy program of the Government:

SECTION G

EXTRA SERVICE CHARGES

(Adding Paragraph 3)

When livestock upon which livestock subsidies may be collected are shown upon an Account Sale rendered by the market agencies subscribing to this petition, a charge of twenty-five (25) cents for each entry appearing thereon and eligible for subsidy shall be collected.

The extra service charge, if granted, would result in additional revenue to the respondents and, accordingly, it appears that public notice should be given to all interested persons of the petition and an opportunity afforded all interested persons, including respondents' patrons, to indicate their wishes to be heard in the matter.

Therefore, notice is hereby given to the public and to all interested persons of respondents' petition for leave to apply the service charge and for the purpose of affording said respondents and all other interested persons, including patrons of the respondents, an opportunity to be heard upon the matters covered in the petition.

All interested persons who desire to be heard shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington 25, D. C., this 27th day of August 1945.

[SEAL]

C. W. KITCHEN,
Assistant Administrator,
Production and
Marketing Administration.

[F. R. Doc. 45-15994; Filed, Aug. 27, 1945;
12:26 p. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 44]

ICING OF POTATOES FROM GREENPORT, LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing only, on cars of potatoes, PFE 92689 consigned to Riggs and Company, East Liverpool, Ohio, and SFRD 36156 consigned to W. E. Osborne, New Brighton, Penna., both shipped August 22, 1945, by F. H. Vahlsing, Inc., from Greenport, L. I., N. Y., routed L. I.-P. R. R.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent

of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16055; Filed, Aug. 28, 1945;
11:10 a. m.]

[Rev. R. O. 330, Special Permit 1]

PREICING OF POTATOES FROM SILVA, ARIZ.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 330 (10 F.R. 9802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 330 insofar as it applies to the preicing to full bunker capacity 60 cars of potatoes to be shipped on or before September 5, 1945, by the K. P. Sales Company, Nogales, Arizona, from Silva, Arizona, to the Sonora district in Mexico via Sou. Pac.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16056; Filed, Aug. 28, 1945;
11:10 a. m.]

[Rev. S. O. 345, Special Permit 6]

REFRIGERATION OF POTATOES FROM CHICAGO, ILL., ST. LOUIS, MO., AND GIBBON, NEBR.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Revised Service Order No. 345 (10 F.R. 10034), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 345 insofar as it applies to the furnishing of standard refrigeration to Port Everglades, Florida; from Chicago, Illinois, on cars PFE 60021 and PFE 46079, routed IC-NC&StL, and from St. Louis, Missouri on car PFE 44888, routed CB&Q-NC&StL, all cars of potatoes from Gibbon, Nebraska, August 21, 1945, consigned to Ploewaty Bergart Company, Atlanta, Georgia, for reconsignment

there to Roger McVeigh, Port Everglades, Florida, routed ABC-ACL-FEC, beyond Atlanta.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16057; Filed, Aug. 28, 1945;
11:10 a. m.]

[Rev. S. O. 345, Special Permit 7]

REICING OF POTATOES AT KANSAS CITY, MO.-KAN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Revised Service Order No. 345 (10 F.R. 10034), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 345 insofar as it applies to the furnishing of one additional reicing in transit only, with not to exceed 8,000 pounds of ice, at Kansas City, Mo.-Kan., not later than August 31, 1945, by the Missouri Pacific Railroad, on car URT 9726, potatoes, shipped from Moses Lake, Washington, August 17, 1945, destined Oklahoma City, Oklahoma. (CMStP&P-Mo.Pac.-R.I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16058; Filed, Aug. 28, 1945;
11:10 a. m.]

[Rev. S. O. 346, 3d Amended General Permit 2]

ICING OR REICING OF GREEN CORN OR PEAS AT ALAMOSA OR PUEBLO, COLO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 346 (10 F.R. 10035), permission is granted for

any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of paragraph (b) of Revised Service Order No. 346 insofar as it applies to the initial bunker icing or reicing in transit in bunkers of cars loaded with green corn or peas; provided that on cars of peas originating on The Denver and Rio Grande Western Railroad Company (Wilson-McCarthy and Henry Swan, Trustees) west of Walsenburg, Colorado, that carrier may accord the initial bunker icing at either Alamosa or Pueblo, Colorado.

This general permit shall become effective at 12:01 a. m., August 24, 1945, and shall apply only to cars billed on or after that time. This general permit shall expire at 11:59 p. m., September 20, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16059; Filed, Aug. 28, 1945;
11:10 a. m.]

[Rev. S. O. 346, Special Permit 5]

ICING OF CARROTS AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of one additional reicing in transit only, with not to exceed 8,000 pounds of reicing ice, at Memphis, Tennessee, not later than August 31, 1945, on car PFE 38786, sacked carrots, shipped by Mefford Fruit Company, from Canoga Park, California, August 21, 1945, routed SP-TP-MP-Frisco-CofGa-SAL.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16060; Filed, Aug. 28, 1945;
11:10 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 921, Amdt.]

HEITARO FUJITA

In re: Real properties located in Passaic County, New Jersey, owned by Heitaro Fujita.

Vesting Order Number 921, dated February 17, 1943, as amended, is hereby further amended as follows and not otherwise:

By deleting therefrom the vesting clause and substituting therefor the following:

hereby vests in the Alien Property Custodian the property described above, subject to liens, encumbrances and other rights duly recorded in the Land Records of Passaic County, New Jersey, held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

All other provisions of said Vesting Order Number 921, as amended, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on August 23, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-15985; Filed, Aug. 27, 1945,
11:36 a. m.]

[Vesting Order 5083]

PAUL WEISS

In re: Real property, mortgage, property insurance policies and claims owned by Paul Weiss.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Paul Weiss, whose last known address is Cossengrün, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Paul Weiss is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Borough of Palisades Park, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. A certain mortgage executed by Park Boulevard Corporation, a New Jersey corporation, as mortgagor, on April 29, 1939, in favor of Paul Weiss, as mortgagee and recorded in the office of the Register of Hudson County, New Jersey, in Liber 1827 of Mortgages at page 325, on the real property located at 123 Parkview Avenue, Weehawken, New Jersey, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right

to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

c. All right, title and interest of Paul Weiss in and to the following insurance policies insuring the premises described in subparagraphs 3-a and 3-b hereof:

(i) Fire Insurance Policy Number 121 875, issued by the Northern Insurance Company of New York, insuring the premises described in subparagraph 3-a hereof;

(ii) Fire Insurance Policy Number 526 177, issued by the Security National Fire Insurance Company, Galveston, Texas, insuring the premises described in subparagraph 3-b hereof;

(iii) War Damage Insurance Policy Number 529-51-170, issued through the Century Insurance Company, Ltd., New York, insuring the premises described in subparagraph 3-b hereof;

d. All right, title, interest and claim of any name or nature whatsoever of Paul Weiss in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Reinhard Weiss, 69-15 Polk Avenue, Guttenberg, New Jersey, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, and by reason of interest received from the mortgage described in subparagraph 3-b hereof, a portion of which sums are deposited in an account with the Trust Company of New Jersey, Union City, New Jersey, in the names of Reinhard Weiss and Emma Weiss, known as Savings Account No. 41954, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same, and

e. All right, title, interest and claim of any name or nature whatsoever of Paul Weiss in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Otto Venino, Jr., 410 38th Street, Union City, New Jersey, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Germany) or national thereof;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b to 3-e, inclusive, hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien

Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 12, 1945.

[SEAL]

FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

All those certain lots, pieces or parcels of land and premises hereinafter particularly described, situate, lying and being in the Borough of Palisades Park, County of Bergen and State of New Jersey, which upon a certain map filed in the Bergen County Clerk's Office, April 16, 1900, as Map No. 469 entitled "Hitchcock's Revised copy of Palisades Park and Palisades Heights, Bergen County, New Jersey" re-surveyed by Willard Cass, C. E., Englewood, New Jersey, are known, laid down and designated as parts of lots numbered 2453 and 2454, more particularly described as follows:

Beginning at a point on the Westerly side or line of 14th Street, distant 133.33 feet Northerly from the corner formed by the intersection of the Westerly side or line of 14th Street with the Northerly side or line of Central Blvd. as shown on said map, running thence (1) Westerly and parallel with the Northerly side or line of Central Blvd. 100 feet to point; thence (2) Northerly and parallel with the Westerly side or line of 14th Street 33.33 feet to a point; thence (3) Easterly and parallel with the first course 100 feet to a point in the Westerly side or line of 14th Street; thence (4) Southerly and along the Westerly side or line of 14th Street 33.33 feet to the point or place of beginning.

[F. R. Doc. 45-15986; Filed, Aug. 27, 1945;
11:36 a. m.]

[Supp. Vesting Order 5182]

SIMPSON LANGE & CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 210, dated October 3, 1942, that Simpson Lange & Co., Inc., is a business enterprise within the United States and a national of a designated enemy country (Germany);

2. Finding that the persons named below have claims against Simpson Lange & Co., Inc., which are represented on the books and records of Simpson Lange & Co., Inc., as accounts payable in the amounts set forth opposite each name, as of December 31, 1944, subject to any accruals or deductions

thereafter, and which represent interests in Simpson Lange & Co., Inc.:

Name:	Amount
Karl Heinz Lange.....	\$39,166.02
Frederich Ellmers.....	10.63
C. W. Von Holtz & Co.....	28.88
Kerehne & Nagel.....	6.48
Ungarische Textilindustrie, A. G.....	332.00
	<hr/> \$9,544.06

3. Finding that the last known addresses of Karl Heinz Lange and Frederich Ellmers are Bremen, Germany and that they are residents of Germany and nationals of a designated enemy country (Germany);

4. Finding that C. W. Von Holtz & Co. and Kerehne & Nagel are business organizations organized under the laws of, and maintaining their principal places of business in, Germany and are nationals of a designated enemy country (Germany);

5. Finding that Ungarische Textilindustrie, A. G., is a business organization organized under the laws of, and maintaining its principal place of business in, Hungary and is a national of a designated enemy country (Hungary);

and determining:

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries (Germany and Hungary); and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of Karl Heinz Lange, Frederich Ellmers, C. W. Von Holtz & Co., Kerehne & Nagel and Ungarische Textilindustrie, A. G., in Simpson Lange & Co., Inc., more fully described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-15987; Filed, Aug. 27, 1945;
11:36 a. m.]

[Vesting Order CE 37]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN WASHINGTON, MINNESOTA, ILLINOIS AND OREGON COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

EXHIBIT A Item 1

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Alfred Dinissen.....	Norway.....	Estate of Josephine Olsen, deceased, in the Superior Court of the State of Washington, in and for the county of Pierce, No. 38164.	\$1,900.98	National City Bank of New York, New York, N. Y., account in the name of the Royal Norwegian Government Special Account "H," Washington, D. C.	\$26.38
Item 2					
Mrs. Marie Holm.....	Norway.....	Same.....	\$1,900.98	Same.....	\$26.38
Item 3					
Kaar Nordstrom.....	Norway.....	Estate of Harry Gunderson, deceased, in the Superior Court of the State of Washington, in and for the county of King, No. 81339.	\$3,849.11	Same.....	\$15.09
Item 4					
Lilly Mardon.....	Norway.....	Same.....	\$3,849.11	Same.....	\$15.09

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 21, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A—Continued

Item 5

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Arne Mardon.....	Norway.....	Same.....	\$3,849.11	Same.....	\$15.08

Item 6

Olina Iversen.....	Norway.....	Estate of Carene Gisness, deceased, in the Superior Court of the State of Washington, in and for the county of Pierce, No. 36174.	\$104.00	Same.....	\$12.22
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Item 7

Halvor Gisness.....	Norway.....	Same.....	\$104.00	Same.....	\$12.22
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Item 8

Ane Fladtli.....	Norway.....	Same.....	\$20.80	Same.....	\$2.45
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Item 9

Paul Fladtli.....	Norway.....	Same.....	\$20.80	Same.....	2.41
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Item 10

Haaken Fladtli.....	Norway.....	Same.....	\$20.80	Same.....	\$2.44
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Item 11

Jens Fladtli.....	Norway.....	Estate of Carene Gisness, deceased, in the Superior Court of the State of Washington, in and for the county of Pierce, No. 36174.	\$20.80	National City Bank of New York, New York, N. Y., account in the name of the Royal Norwegian Government Special Account "H," Washington, D. C.	\$2.44
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Item 12

Margaret Fladtli.....	Norway.....	Same.....	\$20.80	Same.....	\$2.44
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Item 13

Mrs. Karen Solberg.....	Norway.....	Estate of Iver Thompson, deceased, in the Superior Court of the State of Washington, in and for the county of King, No. 86107.	\$500.00	Same.....	\$34.23
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Item 14

Mrs. Mary Evenson.....	Norway.....	Same.....	\$500.00	Same.....	\$34.23
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Item 15

Rachel Kristensen.....	Norway.....	Estate of Hans Kristensen, deceased, in the Superior Court of the State of Washington, in and for the county of King, No. 85790.	\$985.62	Same.....	\$26.28
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Item 16

Thurid Kristensen.....	Norway.....	Same.....	\$328.54	Same.....	\$8.76
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Item 17

John Doe Kristensen.....	Norway.....	Same.....	\$328.54	Same.....	\$8.76
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Item 18

John Doe Kristensen.....	Norway.....	Same.....	\$328.54	Same.....	\$8.75
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Item 19

Gjertrude Taksgaard.....	Norway.....	Estate of Ole Ulseth, deceased, in the Probate Court of Polk county, Crookston, Minn.	\$2,315.75	Same.....	\$31.63
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Item 20

Kjerstine Simastuen.....	Norway.....	Same.....	\$2,315.75	Same.....	\$31.63
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EXHIBIT A—Continued

Item 21

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Ragna Borgen.....	Norway.....	Estate of John Nelson Borgen, deceased, in Probate Court of Hennepin County, Minn., File No. 61146.	\$234.34	National City Bank of New York, New York, N. Y., account in the name of the Royal Norwegian Government Special Account "H", Washington, D. C.	\$13.45

Item 22

Martha Opdal.....	Norway.....	Same.....	\$234.34	Same.....	\$15.44
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Item 23

Elling N. Borgen.....	Norway.....	Same.....	\$234.33	Same.....	\$13.44
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Item 24

Hilbertine Elvine Hansen.....	Norway.....	Estate of Louise Bertina Mollan, also known as Lovise Bertina Mollan, also known as Louise B. Mallon, deceased, in Probate Court of Hennepin County, Minn., File No. 61302.	\$1,410.09	Same.....	\$91.43
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Item 25

Josefine Olea Petrine Antonsen.....	Norway.....	Same.....	\$1,410.09	Same.....	\$91.43
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Item 26

Klaus Maldevin Gregorius.....	Norway.....	Same.....	\$1,410.09	Same.....	\$91.42
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Item 27

Aminda Sofia Nilsen.....	Norway.....	Same.....	\$1,410.09	Same.....	\$91.42
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Item 28

Einar Onsum.....	Norway.....	Estate of Frank H. May, deceased, in Probate Court of Cook County, Ill.	\$376.10	Same.....	\$21.66
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Item 29

Elsa Onsum Lindeman.....	Norway.....	Same.....	\$376.10	Same.....	\$21.66
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Item 30

Elen Greger.....	Norway.....	Estate of Andrew Abrahamson, deceased, in the Circuit Court of the State of Oregon, in and for the county of Clackamas, No. 7083.	\$61.07	National City Bank of New York, New York, N. Y., account in the name of the Royal Norwegian Government Special Account "H," Washington, D. C.	\$7.56
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[F. R. Doc. 45-15988; Filed, Aug. 27, 1945; 11:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1448]

CORRISTAN BROS., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent

No. 170—6

but the maximum prices may be changed by an amendment issued after the effective date of this order where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices

for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

CORRISTAN BROTHERS, C/O HUGH CORRISTAN, OHIO-PYLE, OHIO, THORPE MINE, E SEAM, MINE INDEX NO. 5440, FAYETTE COUNTY, PA., SUBDISTRICT 35, RAIL SHIPPING POINT: DUNBAR, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	H	H
Rail shipment.....	358	358	338	313	313
Railroad locomotive fuel.....	348	348	333	323	323
Truck shipment.....	378	353	353	343	333

CORRISTAN BROTHERS, C/O HUGH CORRISTAN, OHIO-
FYLE, OHIO, THROPE MINE; E SEAM, MINE INDEX
No. 5440, FAYETTE COUNTY, PA., SUBDISTRICT 35,
RAIL SHIPPING POINT: DUNBAR, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	H	H
Rail shipment.....	330	330	310	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	325	325	315	305

FLEEGLE AND DARR, ROUTE No. 1, CAIRNBROOK, PA.,
FLEEGLE MINE, A SEAM, MINE INDEX No. 5366,
SOMERSET COUNTY, PA., SUBDISTRICT 38, DEEP MINE

Truck shipment.....	383	358	358	348	338
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JAMES E. HOFFMAN, KARTHAUS, PA., SAYEL MINE, E
SEAM, MINE INDEX No. 5368, CLEARFIELD COUNTY,
PA., SUBDISTRICT 9, RAIL SHIPPING POINT, KAR-
THAUS, PA., STRIP MINE.

Price classification.....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

PINE RUN COAL CO., CLEARFIELD, PA., PINE RUN No.
2 MINE, D SEAM, MINE INDEX No. 5479, CLEARFIELD
COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT,
GLEN HOPE, PA., STRIP MINE

Price classification.....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

The maximum prices listed in this order include the
increase in maximum prices where authorized by Amend-
ment No. 146 to MPR 120 which became effective
August 3, 1945.

This order shall become effective
August 27, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law
383, 78th Cong.; E.O. 9250, 7 F.R. 7871;
E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15883; Filed, Aug. 25, 1945;
12:04 p. m.]

[MPR 120, Order 1449]

HART & HART

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion
issued simultaneously herewith and in
accordance with § 1340.210 (a) (18) of
Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced in consolidated
Size Group A by Hart & Hart at its Web-
ster Mine, Mine Index No. 2024 in Dis-
trict No. 9, when sold to Reed Trucking
Company and delivered over the pur-
chaser's conveyor to the purchaser's
bins, may be sold at prices not exceeding
\$2.86 per net ton f. o. b. the seller's tipple.

(b) All prayers of applicant not
granted herein are hereby denied.

(c) This order may be revoked or
amended at any time.

(d) Except as specifically provided in
this order, the provisions of Maximum
Price Regulation No. 120 shall remain in
effect.

This order shall become effective
August 27, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15884; Filed, Aug. 25, 1945;
12:05 p. m.]

[RMPR 122, Amdt. 30 to Rev. Order 47,
Correction]

SOLID FUELS IN WASHINGTON, D. C. AND
ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 30 to Revised Order
No. 47 under Revised Maximum Price
Regulation No. 122 is hereby corrected
in the following respects:

1. In Item 1 the paragraph (c) (1)
maximum prices for Glen Rogers and
Berwind briquettes are corrected to read
as follows:

Kind and size	Per ton net (2,000 lbs.)	Per ½ ton net (1,000 lbs.)
Briquettes:		
Glen Rogers briquettes.....	\$10.88	\$5.95
Berwind briquettes.....	10.68	5.85

2. In Item 2 the paragraph (d) maxi-
mum prices for Pennsylvania anthracite
and for Glen Rogers and Berwind bri-
quettes are corrected to read as follows:

Kind and size	Consumer prices		Dealer prices— net ton (2,000 lbs.)
	Netton (2,000- lbs.)	Per 1,000 lbs.	
Pennsylvania anthracite:			
Egg, stove nut.....	\$13.43	\$0.90	\$12.04
Pea.....	11.58	.82	10.24
Buckwheat No. 1.....	9.39		8.14
Rice (buckwheat No. 2).....	8.58		7.28
Barley (buckwheat No. 3).....			6.88
Briquettes:			
Glen Rogers briquettes.....	9.99		
Berwind briquettes.....	8.83		

This correction shall be effective as of
August 4, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15885; Filed, Aug. 25, 1945;
12:05 p. m.]

[RMPR 122, Amdt. 33 to Rev. Order 47]

SOLID FUELS IN WASHINGTON AREA AND
ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion
issued simultaneously herewith and in
accordance with § 1340.260 of Revised
Maximum Price Regulation No. 122; *It is
ordered,* That Revised Order No. 47 under
Revised Maximum Price Regulation No.
122 be amended in the following respects:

In paragraph (f) the maximum prices
for coke and reclaimed coke are amended
to read as follows:

Kind and size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Coke.....	\$14.40	\$7.70
Reclaimed coke:		
Nut.....	12.70	6.85
Pea.....	10.95	6.00

This amendment shall be effective as of
August 10, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15886; Filed, Aug. 25, 1945;
12:05 p. m.]

[RMPR 136, Amdt. 1 to Order 469]

A. T. FERRELL & Co.

DETERMINATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 469
Under Revised Maximum Price Regula-
tion 136; machines, parts and industrial
equipment; A. T. Ferrell and Company,
Docket No. 6083-136.21-392.

Paragraph (a) is amended to read as
follows:

(a) The maximum prices for sales by
A. T. Ferrell and Company, Saginaw,
Michigan, of food processing machinery
and repair and replacement parts shall
be determined as follows:

(1) To users: The manufacturer shall
multiply by 104.4% the maximum net
price he had in effect just prior to the
issuance of this order.

(2) To jobbers: The manufacturer
shall multiply by 105.2% the maximum
net price he had in effect just prior to
the issuance of this order.

This amendment shall become effec-
tive August 27, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15887; Filed, Aug. 25, 1945;
12:05 p. m.]

[RMPR 136, Order 494]

HARLEY-DAVIDSON MOTORCYCLE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 494 Under Revised Maxi-
mum Price Regulation 136; machines,
parts and industrial equipment; Harley-
Davidson Motorcycle Company, Docket
No. 6083-136.21-425.

For the reasons set forth in an opinion,
issued simultaneously herewith, and filed
with the Division of the Federal Register,
and pursuant to section 21 of Revised
Maximum Price Regulation 136, *It is
ordered:*

(a) The Harley-Davidson Motorcycle
Company, Milwaukee, Wisconsin, is au-
thorized to sell each Harley-Davidson
Motorcycle described in subparagraph
(1) at a price not to exceed the applica-
ble list price in subparagraph (1), ad-
justed as provided in that subparagraph,
plus the applicable allowances in sub-
paragraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942:

Motorcycles and List Price, F. O. B. Factory

Model G (servi-car), \$593.93 (including federal excise tax on tires and tubes).

Model GA (servi-car), \$582.07 (including federal excise tax on tires and tubes).

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge in effect on March 31, 1942, for such equipment when sold as original equipment (except that for Models LE and LLE side cars, Models MC and LMC side car chassis, and Models M and LM package trucks, the charge shall not exceed the list or established price of \$139.23 for each of the side cars, \$85.73 for each of the side car chassis, and \$144.55 for each of the package trucks, less the applicable discounts in effect on March 31, 1942);

(ii) A charge to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942;

(iii) A charge to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942;

(iv) A charge to cover federal excise tax on the vehicle, but not the federal excise tax on tires and tubes, and state or local taxes on the vehicle being sold, computed in accordance with the seller's method in effect on March 31, 1942.

(b) A reseller of Harley-Davidson motorcycles may sell, delivered at place of business, each Harley-Davidson motorcycle described in subparagraph (1) below at a price not to exceed the applicable list price in that subparagraph, plus applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942:

(1) *List price.*

Motorcycles and List Price, F. O. B. Factory

Model G (servi-car), \$593.93 (including federal excise tax on tires and tubes).

Model GA (servi-car), \$582.07 (including federal excise tax on tires and tubes).

(2) *Charges.* (i) A charge for extra, special and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942, for such equipment (except that for Models LE and LLE side cars, Models MC and LMC side car chassis, and Models M and LM package trucks, the charge shall not exceed the list or established price of \$139.23 for each of the side cars, \$85.73 for each of the side car chassis, and \$144.55 for each of the package trucks, less the applicable discounts in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge the Harley-Davidson Motorcycle Company would make for the transportation of the motorcycle from the factory to the place of business of the reseller;

(iii) A charge to include federal, state and local taxes (except for the federal excise tax on tires and tubes) on his purchase and sale, or delivery of the applicable motorcycle, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942.

(c) A reseller of Harley-Davidson motorcycles that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(i) The original equipment retail charge that Harley-Davidson Motorcycle Company suggested on March 31, 1942, be made by resellers for the extra, special or optional equipment attached to the motorcycles as original equipment (except that for Models LE and LLE side cars, Models MC and LMC side car chassis, and Models M and LM package trucks, the charge shall not exceed the list or established price of \$139.23 for each of the side cars, \$85.73 for each of the side car chassis, and \$144.55 for each of the package trucks);

(ii) A charge for transportation which shall not exceed the charge the Harley-Davidson Motorcycle Company, would make for the transportation of the motorcycle, from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Harley-Davidson Motorcycle Company, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal excise taxes (except for the federal excise tax on tires and tubes);

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the motorcycle;

(v) A charge equal to the reseller's actual expense for handling and delivery of the motorcycle.

(d) A reseller of Harley-Davidson motorcycles, in any of the territories or possessions of the United States, is authorized to sell each of the motorcycles described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the motorcycle; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of a substantial change in design, specifications or equipment of the motorcycle, the reseller may add to its price under paragraph (b), (c), or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the

price under paragraph (a), the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective August 27, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15888; Filed, Aug. 25, 1945; 12:06 p. m.]

[MPR 188, Order 4311]

JULIUS J. BLUMENTHAL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Julius J. Blumenthal, 1653 Nostrand Ave., Brooklyn 26, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Sheet metal, oblong shaped pin-up lamp, copper plated and high-lighted, with push switch wired in base and with enameled covered socket, equipped with paper parchment shade of 25¢ value or better; the entire unit to be made accident proof.....	350	Each \$1.49	Each \$1.75	Each \$3.15

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15889; Filed, Aug. 25, 1945;
12:01 p. m.]

[MPR 188, Order 4312]

DIAMOLY TOOL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Diamoly Tool Company, 907 Eighth Ave., New York 19, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesale sellers (jobbers)	Department and chain stores	Other retailers	Consumers
Cast aluminum pressure cooker.....	9" high x 12 1/4" diameter.....	Each \$10.30	Each \$12.36	Each \$13.73	Each \$20.60

These maximum prices are for the articles described in the manufacturer's application dated July 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$20.60
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15890; Filed, Aug. 25, 1945;
12:01 p. m.]

[MPR 188, Order 4313]

PALMER BROS. TOOL & FORGE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Palmer Bros. Tool & Forge Company, Meadville, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Sales agent (distributor)	Wholesalers (jobbers)	Retailers	Consumers
Staple puller (utility hammer).....	None	Each \$0.25	Each \$0.375	Each \$0.50	Each \$0.75

These maximum prices are for the articles described in the manufacturer's application dated July 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to 2% cash discount for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—\$0.75
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15891; Filed, Aug. 25, 1945;
12:01 p. m.]

[MPR 188, Order 4314]

METAL SPECIALTIES MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Metal Specialties Manufacturing Company, 3200 Carroll Avenue, Chicago 24, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Chain, department and syndicate stores	Other retailers	Consumers
Frying pan, aluminum, 8 3/4".....	None	Dozen \$4.90	Dozen \$5.52	Each \$0.69

These maximum prices are for the articles described in the manufacturer's application dated July 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.69
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15892; Filed, Aug. 25, 1945; 12:03 p. m.]

[MPR 188, Order 4315]

GRAVIN HEAT-SHAVER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

Article	Model	Maximum prices for sales by any seller to—				
		Distributor	Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Heat shaver razor in leather solid frame case.....	5 x 1 1/4"	Each \$5.25	Each \$5.78	Each \$6.84	Each \$7.37	Each \$11.10

These maximum prices are for the articles described in the manufacturer's application dated June 2, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4315
Model No.
OPA Retail Ceiling Price—\$.....
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Gravin Heat-Shaver Corporation
115 East Main Street
Rochester, New York
Model No.
OPA Retail Ceiling Price—\$.....
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Gravin Heat-Shaver Corporation of 115 East Main Street, Rochester, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Distributor	Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Heat shaver razor in leather solid frame case.....	5 x 1 1/4"	Each \$5.25	Each \$5.78	Each \$6.84	Each \$7.37	Each \$11.10

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15893; Filed, Aug. 25, 1945; 12:04 p. m.]

[MPR 188, Order 4316]

RUBY LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ruby Lamp Company, 307 Crown Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
16" crystal vanity lamp with pressed glass base, two diamond shaped breaks and reeded tube.....	142	Each \$1.32	Each \$1.65	Each \$2.80
30" crystal table lamp with hand cut base, and columns; pressed glass top break.....	146	4.60	5.41	9.75
20" crystal table lamp with base, block break and hand cut tube.....	149	2.25	2.65	4.80
27" crystal table lamp with hand cut base, block break and column. Ruby glass fount.....	164	5.26	6.19	11.10
27" crystal table lamp with hand cut base and column, two Waterford style ball breaks.....	166	3.83	4.50	8.10

These maximum prices are for the articles described in the manufacturer's application dated March 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. fac-

tory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15894; Filed, Aug. 25, 1945;
12:04 p. m.]

[MPR 188, Order 4317]

PREFERRED LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Preferred Lighting Company, 688 DeKalb Ave., Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Fluorescent bed lamp, floored in various colors.	102	Each \$2.98	Each \$3.50	Each \$6.30
Fluorescent bed lamp, floored in various colors and equipped with reactor.	103	3.83	4.50	8.10
Fluorescent bed lamp, enameled and painted in various colors.	202	2.98	3.50	6.30
Fluorescent bed lamp, enameled and painted in various colors and equipped with reactor.	203	3.83	4.50	8.10

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or

label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15895; Filed, Aug. 25, 1945;
12:04 p. m.]

[MPR 188, Order 4318]

BINKLEY MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Binkley Manufacturing Company of Warrenton, Missouri.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
One burner hot plate, 1 heat, 1 switch and cord, black crackle finish.	8½" x 8¾" x 3½" -----	Each \$1.84	Each \$2.18	Each \$2.35	Each \$3.50
Two burner hot plate, 1 heat, 2 switches, cord and plug, black crackle finish.	8½" x 17½" x 4½" -----	3.10	3.75	4.05	6.05

These maximum prices are for the articles described in the manufacturer's application dated July 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices include the Federal Excise Tax. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices

apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales,

and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct model number, order number and retail prices properly filled in:

Order No. 4318
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

OR

Binkley Manufacturing Company
Warrenton, Missouri
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15896; Filed, Aug. 25, 1945;
12:03 p. m.]

[MPR 188, Order 4319]

STEELMASTERS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Steelmasters, Incorporated, of 26 West 23rd Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—	
		Retailers	Consumers
Frying pan, cast aluminum 10 1/2"-----	1050	Each \$2.10	Each \$3.50

These maximum prices are for the articles described in the manufacturer's application dated August 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15897; Filed, Aug. 25, 1945;
12:03 p. m.]

[MPR 188, Order 4320]

CARL FRANKEL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Carl Frankel, 2432 Davidson Avenue, New York 53, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hurricane lamp, hand cut base and stem, 10 imported prisms, glass globe, height 22"-----	952	Each \$12.52	Each \$14.75	Each \$26.55
China table lamp vase with hand painted flowers, metal base, lug handles, height 27" with 16" silk brocade shade, top and bottom ruching-----	2614	7.01	8.25	14.85
China table lamp, metal base, hand painting on vase, lug handles, gold trim, height 24" with 16" handmade shade, top & bottom ruching-----	2702	14.02	16.50	29.70
China table lamp, metal base, lug handles, decoration on china vase, height 24" with 15" silk lamp shade, braid trim top and bottom-----	2801-2802	5.27	6.20	11.15
China table lamps, vase with embossed design and metal bases. Height 26" with 16" braid trim silk shade-----	2801-2802	7.03	8.27	14.90
China table lamp, metal base, hand painted china vase, height 38", with hand made shade, 20" width, ruching top and bottom-----	2598	29.45	34.65	62.35
China table lamp, metal base, hand painted worsted finish, height 24" with 16" silk brocade shade, top and bottom ruching trim-----	2303	15.15	17.82	32.10
China table lamp, metal base, embossed china vase, height 23" with silk lamp shade, braid trim top and bottom, width 15"-----	2613	5.30	6.24	11.23

These maximum prices are for the articles described in the manufacturer's application dated April 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15898; Filed, Aug. 25, 1945;
12:02 p. m.]

[MPR 188, Order 4321]

STANDARD AIR PARTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Standard Air Parts of 8201 Kimbark Avenue, Chicago 19, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Aluminum skillet, 10½ x 24, wood or plastic handle	100	Each \$2.33	Each \$2.79	Each \$3.09	Each \$4.65

These maximum prices are for the articles described in the manufacturer's application dated June 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15899; Filed, Aug. 25, 1945;
12:02 p. m.]

[MPR 188, Order 4322]

DARNELL LABORATORIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Darnell Laboratories of 1235-37 Grand Avenue, Kansas City 10, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Distributors	Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric fan.	8" Air-master.	Each \$1.84	Each \$2.02	Each \$2.38	Each \$2.52	Each \$3.85

These maximum prices are for the articles described in the manufacturer's

application dated June 25, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number properly filled in:

Order No. 4322
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

Darnell Laboratories
1235-37 Grand Avenue
Kansas City 10, Missouri

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15900; Filed, Aug. 25, 1945;
12:02 p. m.]

[MPR 188, Order 4323]

SPENGREY CAP CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Spengrey Cap

Corporation, 1107 South Preston Street, Louisville 3, Ky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department and chain stores	Other retailers	Consumers
Steel kitchen stool.....	130	Each \$1.00	Each \$1.20	Each \$1.33	Each \$1.98

Description: A four-legged steel stool without back made of hot rolled sheet steel, spot welded, finished with baked enamel. Circular seat 10" diameter, height to top of seat 23 1/4", floor space 14 1/2" x 14 1/2".

These maximum prices are for the articles described in the manufacturer's application dated July 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.98
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15901; Filed, Aug. 25, 1945; 12:01 p. m.]

No. 170—7

[MPR 188, Order 4324]

MENSCO, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Mensco, Incorporated of 506 Santa Fe Drive, Denver 5, Colo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Griddle, aluminum, 14".....	None	Each \$1.95	Each \$2.34	Each \$2.59	Each \$3.90

These maximum prices are for the articles described in the manufacturer's application dated August 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$3.90 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15902; Filed, Aug. 25, 1945; 12:02 p. m.]

[RMFR 136, Order 495]

ONSRUD MACHINE WORKS, INC.

DETERMINATION OF MAXIMUM PRICES

Order No. 495 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Onsrud Machine Works, Inc. Docket Nos. 6083-136.21-466 and 472.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The maximum net prices for sales of automatic shapers by Onsrud Machine Works, Inc., Chicago, Illinois, shall be determined as follows:

The Company shall increase the maximum net prices of these two machines by the amounts shown below.

WA 50 automatic shaper..... \$388
WB 85 double head automatic shaper.. 623

(b) The maximum prices for sales of automatic shapers by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Onsrud Machine Works, Inc. shall notify each person who buys automatic shapers for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 27, 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15968; Filed, Aug. 27, 1945; 11:27 a. m.]

[MPR 188, 2d Rev. Order 3114]

GLOBE ELECTRONICS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

Revised Order No. 3114 is amended and revised to read as follows:

(a) This second revised order established maximum prices for sales and deliveries of two radios (Model #500 and Model #602) manufactured by Globe Electronics, Inc., 295 Madison Avenue, New York City.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Globe Electronics, Inc., sales and deliveries to U. S. Government.....	Model 500—\$21.97 Model 602— 22.97
For all sales and deliveries by all sellers to jobbers..	Model 500— 19.60 Model 602— 21.60
For all sales and deliveries by all sellers to retailers..	Model 500— 23.97 Model 602— 26.97
For all sales and deliveries by all sellers at retail..	Model 500— 39.95 Model 602— 44.95

The above maximum prices do not include the Federal excise tax which may be added. These maximum prices for all sales at wholesale are f. o. b. seller's usual point of shipment. These maximum prices are for the articles described in the manufacturer's applications dated November 14, 1944, and January 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this second revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this second revised order. That tag or label shall contain the following statement with the blank spaces properly filled in:

Model Number -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax—\$-----
Manufactured by Globe Electronics, Inc.
New York City
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This second revised order may be revoked or amended by the Price Administrator at any time.

(e) This second revised order shall become effective on the 27th day of August 1945.

Issued this 25th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15970; Filed, Aug. 27, 1945;
11:27 a. m.]

Regional and District Office Orders.

[Region I Supp. Order 8 Under RMPR 122,
Amdt. 11]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum price Regulation No. 122 is amended in the following respect:

1. In the provision for Glen Burn in paragraph (c) in the "Note", the expiration date "July 31" is deleted and a new expiration date "September 30" is inserted in lieu thereof.

This Amendment No. 11 shall become effective midnight July 31, 1945.

Issued this 31st day of July 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15750; Filed, Aug. 23, 1945;
4:54 p. m.]

[Region I Supp. Order 12 Under RMPR 122,
Revocation]

BITUMINOUS COALS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That Region I Supplementary Order No. 12 under Revised Maximum Price Regulation No. 122 (Increase in prices for bituminous coals in certain area price orders) be and it hereby is revoked.

This order shall become effective as of August 3, 1945.

Issued this 6th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15751; Filed, Aug. 23, 1945;
4:54 p. m.]

[Region I Supp. Order 14 Under RMPR 122]

BITUMINOUS COALS IN BOSTON REGION

For the reasons set forth in an Opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That:

(a) The specific maximum per net ton prices for all sizes of Bituminous coals which are established by the Region I area price orders under Revised Maximum Price Regulation No. 122 listed in paragraph (d) of this order shall, on and after August 3, 1945, be increased as follows: *Provided*, That the conditions set forth in paragraph (b) hereof are observed:

(1) *Direct mine receivers.* On all sales of bituminous coal which the seller has received directly from the mines, or of which he is the producer, the amounts of the increase shall be as follows:

Producing District and Amount of Increase

1. From strip mines.....	¹ None
From deep mines.....	\$0.28
2. From strip mines.....	.09
From deep mines.....	.20
3. All mines:	
Size group No. 3 (run of mine)...	.28
All other size groups.....	.33
7. All mines.....	.30
8. All mines.....	.15

¹ In the case of strip mine coal from Producing Districts No. 1 and No. 2, which is sold by the producer, at the deep mine price pursuant to permission granted under the provisions of Amendment #146 to Maximum Price Regulation No. 120, the amount of the increase shall also be 28¢ per net ton for prepared strip coal from district No. 1 and 20¢ per net ton for prepared strip coal from district No. 2.

(2) *All other sales.* On all other sales, the seller may add to the otherwise applicable maximum price the exact amount of the increase properly charged to him by his supplier pursuant to the provisions of this Supplementary order.

(b) The increase provided for by paragraph (a) hereof may be charged only if coal from a particular district is not mixed by the dealer with coal from another district, either in storage or delivery, and in the case of coal from producing districts No. 1 and No. 2, if coal from strip mines is not so mixed with coal from deep mines; *Provided, however*, That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; *And provided, further*, That two or more coals which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, if the previously established specific maximum prices for the components of the mixture were the same. In addition, the prohibition against mixing strip mine and deep mine coal shall not apply to strip coal from districts No. 1 and No. 2 which is sold at the deep mine price, pursuant to permis-

sion granted under the provisions of Amendment No. 146 to Maximum Price Regulation No. 120.

(c) Subject to the provisions of paragraph (b) hereof, all dealers shall separately invoice strip mine coal and deep mine coal, identifying each clearly by appropriate notation thereon.

(d) *Orders affected.* This Supplementary Order shall apply to the following Region I orders under Revised Maximum Price Regulation No. 122:

Order No.:	Area
G-8-----	Worcester, Mass.
G-20-----	North Shore, Mass.
G-64-----	New Bedford, Mass.
G-68-----	Fall River, Mass.

Subparagraphs of paragraph (c) of G-70:

Appendix:

16-----	Lowell, Mass., area.
17-----	Lawrence, Mass., area.
18-----	Haverhill, Mass., area.

(e) *Definitions.* Terms used herein, such as "deep mine", "strip mine" and "producing district", shall have the meanings provided in § 1340.208 (a) of Maximum Price Regulation No. 120.

This Supplementary Order No. 14 shall become effective as of August 3, 1945.

Issued this 6th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15752; Filed, Aug. 23, 1945;
4:54 p. m.]

[Region I Supp. Order 15 Under RMPR 122]

BITUMINOUS COALS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered, That:*

(a) The specific maximum per net ton prices for all sizes of bituminous coals which are established by the Region I area price orders under Revised Maximum Price Regulation No. 122 listed in paragraph (d) of this order shall, on and after August 3, 1945, be increased as follows; *Provided, That* the conditions set forth in paragraph (b) hereof are observed:

(1) *Direct mine receivers.* On all sales of bituminous coal which the seller has received directly from the mines, or of which he is the producer, the amounts of the increase shall be as follows:

Producing district:	Amount of increase
1. From strip mines-----	None
From deep mines-----	\$0.10
2. From strip mines-----	None
From deep mines-----	.06
3. All mines:	
Size group No. 3 (run of mine) -	.05
All other size groups-----	.10
7. All mines-----	.04
8. All mines-----	None

¹In the case of strip mine coal from Producing Districts No. 1 and No. 2, which is sold by the producer, at the deep mine price

pursuant to permission granted under the provisions of Amendment No. 146 to Maximum Price Regulation No. 120, the amount of the increase shall also be 10¢ per net ton for prepared strip coal from District No. 1 and 6¢ per net ton for prepared strip coal from District No. 2.

(2) *All other sales.* On all other sales, the seller may add to the otherwise applicable maximum price the exact amount of the increase properly charged to him by his supplier pursuant to the provisions of this supplementary order.

(b) The increase provided for by paragraph (a) hereof may be charged only if coal from a particular district is not mixed by the dealer with coal from another district, either in storage or delivery, and in the case of coal from Producing Districts No. 1 and No. 2, if coal from strip mines is not so mixed with coal from deep mines; *Provided, however, That* if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; *And provided, further, That* two or more coals which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, if the previously established specific maximum prices for the components of the mixture were the same. In addition, the prohibition against mixing strip mine and deep mine coal shall not apply to strip coal from Districts No. 1 and No. 2 which is sold at the deep mine price, pursuant to permission granted under the provisions of Amendment No. 146 to Maximum Price Regulation No. 120.

(c) Subject to the provisions of paragraph (b) hereof, all dealers shall separately invoice strip mine coal and deep mine coal, identifying each clearly by appropriate notation thereon.

(d) *Orders affected.* This supplementary order shall apply to the following Region I orders under Revised Maximum Price Regulation No. 122:

ORDER NUMBER AND AREA

Subparagraphs of paragraph (c) of G-70:

Appendix:

6-----	Hartford, Conn.
7-----	Metropolitan Boston.
11-----	Springfield, Mass.

(e) *Definitions.* Terms used herein, such as "deep mine", "strip mine" and "producing district", shall have the meanings provided in § 1340.208 (a) of Maximum Price Regulation No. 120.

This Supplementary Order No. 15 shall become effective as of August 3, 1945.

Issued this 6th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15753; Filed, Aug. 23, 1945;
4:54 p. m.]

[Region I Supp. Order 16 Under RMPR 122]

COKE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered, That:*

(a) Dealers making sales of coke subject to the Region I orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order, may increase the specific maximum prices for all sizes of coke which are specifically priced in said orders by the following amounts:

Per net ton-----	90 cents.
Per ½ ton-----	45 cents.
Per ¼ ton-----	20 cents.
Units smaller than ¼ ton-----	No increase

(b) Orders affected.

Order No.:	Area
G-12-----	Haverhill, Mass.
G-13-----	Lynn-Salem.
G-14-----	Lowell, Mass.
G-15-----	Manchester, N. H.
G-16-----	Brockton, Mass.
G-17-----	Taunton, Mass.
G-18-----	New London, Conn.
G-19-----	Concord, N. H.
G-21-----	Nashua, N. H.
G-22-----	Worcester, Mass.
G-23-----	Stoughton, Mass.
G-24-----	Bridgeport, Conn.
G-25-----	Portland, Maine.
G-26-----	Portsmouth-Kittery.
G-28-----	Bangor, Maine.
G-29-----	Lewiston-Auburn.
G-30-----	Augusta, Maine.
G-31-----	Brunswick, Maine.
G-32-----	Rockland, Maine.
G-33-----	Biddeford-Saco.
G-34-----	Bath, Maine.
G-35-----	Hampton-Seabrook.
G-36-----	Dover-Exeter.
G-38-----	Milford and Hopedale, Mass.
G-39-----	Providence, R. I.
G-40-----	Rutland, Vt.

This Supplementary Order No. 16 shall become effective as of 12:01 a. m. August 7, 1945.

Issued this 7th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15754; Filed, Aug. 23, 1945;
4:53 p. m.]

[Region I Supp. Order 17 Under RMPR 122]

COKE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered, That:*

(a) Dealers making sales of coke subject to the Region I orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order, may

Increase the specific maximum prices for all sizes of coke which are specifically priced in said orders by the following amounts:

Per net ton.....	40 cents.
Per ½ ton.....	20 cents.
Per ¼ ton.....	10 cents.
Units smaller than ¼ ton.....	No increase.

(b) Orders affected.

Order No.:	Area
G-11.....	Lawrence, Mass.
G-41.....	Adams, Mass.
G-42.....	Bennington, Vt.
G-43.....	Manchester, Vt.
G-44.....	Danbury, Conn.
G-45.....	White River Junction, Vt.
G-46.....	Hartford, Conn.
G-47.....	New Haven, Conn.
G-48.....	Brattleboro-Keene, Vt.
G-49.....	Middletown, Conn.
G-50.....	St. Albans, Vt.
G-51.....	Waterbury, Conn.
G-52.....	Putnam, Conn.
G-53.....	Bellows Falls, N. H.-Vt.
G-54.....	Burlington, Vt.
G-55.....	Willimantic, Conn.
G-56.....	Montpelier, Vt.
G-57.....	Norwich, Conn.
G-58.....	St. Johnsbury, Vt.
G-59.....	Winsted, Conn.
G-60.....	Springfield, Vt.-Claremont, N. H.
G-61.....	New Britain, Conn.
G-62.....	Torrington, Conn.
G-63.....	Woonsocket, R. I.
G-64.....	New Bedford, Mass.
G-65.....	Attleboro, Mass.
G-66.....	Pitchburg, Mass.
G-67.....	Gardner, Mass.
G-68.....	Fall River, Mass.
G-69.....	Southbridge, Mass.

Subparagraphs of paragraph (c) of G-70:
Appendix:

1.....	Plymouth, N. H.
2.....	Greenfield, Mass.
3.....	Pittsfield, Mass.
4.....	Springfield, Mass.
5.....	Holyoke, Mass.
8.....	Amherst, Mass.
9.....	Metropolitan Boston.
10.....	Berlin, N. H.
12.....	Southern Berkshire.
13.....	Stamford-Norwalk, Conn.
14.....	North Country, N. H.
15.....	Laconia-Franklin, N. H.
19.....	Conway, N. H.

This Supplementary Order No. 17 shall become effective as of 12:01 a. m., August 7, 1945.

Issued this 7th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-15749; Filed, Aug. 23, 1945;
4:53 p. m.]

[Region VI Order G-24 Under RMPR 122]

BY-PRODUCT COKE IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of by-product coke of all dealers whose maximum prices for the sale of such solid fuels are now established under area pricing orders of Region VI of the Office of Price Administration.

(b) *Geographical applicability.* This order applies to all sales where the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Price adjustments.* On by-product coke, the sale of which is governed by maximum prices established by Region VI orders G-1 to G-16 under Revised Maximum Price Regulation No. 122 inclusive, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, dealers are hereby permitted to increase their maximum prices by 40¢ per ton.

(d) This Order No. G-24 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G-24.

(3) *Effect of order on Revised Maximum Price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, as amended, the provisions contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(f) This order may be revoked, amended, or modified at any time.

This order shall become effective August 7, 1945.

Issued this 7th day of August 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-15748; Filed, Aug. 23, 1945;
4:53 p. m.]

[Region III Order G-1 Under MPR 579]

FRESH AND FROZEN FISH AND SEAFOOD IN
CLEVELAND REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328 and Maximum Price Regulation No. 364, Maximum Price Regulation No. 418 and Maximum Price Regulation No. 579 and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *Applicability of this order.* This order shall apply to all sales by wholesalers to retailers, purveyors of meals, industrial users and institutional users of fresh and frozen fish and seafood subject to Maximum Price Regulation No. 364, Maximum Price Regulation No. 418 and Maximum Price Regulation No. 579 where both buyer and seller are located within the area hereinafter described in section (c).

(b) *What this order does.* This order modifies certain invoicing requirements under the authority granted in section 6 (f) of Maximum Price Regulation No. 364 (Frozen Fish and Seafood), section 15 (d) of Maximum Price Regulation No. 418 (Fresh Fish and Seafood), and section 1.6 (c) of Maximum Price Regulation No. 579 (Certain Species of Fresh and Frozen Fish and Seafood), whereby

the Regional Administrator may alter, modify or suspend such invoicing requirements contained in said maximum price regulations.

(c) *Modification of invoicing requirements.* (1) On and after the effective date of this order, all persons making sales of fresh and frozen fish and seafood subject to this order, who place the statement hereinafter set forth in subsection (2) of this section (c) upon invoices delivered in connection with sales subject hereto, shall not be required to state upon such invoices either the container costs or the transportation allowances as required by the aforementioned maximum price regulations;

(2) The statement provided for in subsection (1) hereof shall read as follows:

Prices charged include container costs and transportation allowances. The Office of Price Administration requires that we furnish you an itemized statement of such costs and allowances if you so request.

(d) *Applicability of Maximum Price Regulation No. 364, Maximum Price Regulation No. 418 and Maximum Price Regulation No. 579.* Except as otherwise provided herein, all sales of fresh and frozen fish and seafood shall be and remain subject to the applicable Maximum Price Regulation.

(e) *Geographical applicability.* This order shall apply throughout Region III, which is composed of the States of Kentucky, Indiana (except the County of Lake), Michigan, Ohio and West Virginia.

(f) *Definitions.* Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 364, Maximum Price Regulation No. 418 and Maximum Price Regulation No. 579 and in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, as amended, shall apply to the terms used herein.

This order shall become effective July 21, 1945.

Issued: July 21, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-15904; Filed, Aug. 25, 1945;
11:58 a. m.]

[Region III Order G-5 Under MPR 188]

CONCRETE BLOCKS IN KENT COUNTY, MICH.,
AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188; It is hereby ordered:

(a) Any manufacturer of concrete blocks may sell such blocks in the Kent County, Michigan, area at prices not exceeding (1) his present legally established maximum prices, or (2) the maximum prices hereinafter set forth.

(b) Any such seller shall, however, maintain all customary discounts, allowances, or price differentials which were in effect in March 1942.

(c) The schedule of adjusted maximum prices of concrete blocks permitted by this order is as follows:

Concrete blocks	Adjusted maximum prices		
	Yard sales	City delivery	10-mile delivery ¹
Plain blocks (8" x 8" x 16")	\$0.12	\$0.13	\$0.14
Face blocks (8" x 8" x 16")	.15	.16	.17
Chimney blocks	.27	.30	.31

¹ An additional charge of \$0.01 per block may be made for every additional ten miles delivered.

(d) This order shall apply to all sales of concrete blocks pursuant to which actual physical delivery occurs within the limits of Kent County, Michigan.

(e) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 27, 1945.

Issued: July 27, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-15905; Filed, Aug. 25, 1945; 11:59 a. m.]

[Region III Order G-12 Under Supp. Order 94]

BUTCHERS' MEAT BLOCKS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered that:

(a) *What this order does.* This Order No. G-12 establishes maximum prices for the sale of butchers' meat blocks, hereinafter described, by the Department of Commerce, Office of Surplus Property, to resellers, and by resellers to ultimate consumers or users.

(b) *Geographical applicability.* This Order No. G-12 shall apply to all sales described herein when made in this Region III, which includes the states of Ohio, Indiana (except the County of Lake), Michigan, Kentucky, and West Virginia.

(c) *Maximum prices.* Maximum prices for the sale of the butchers' meat blocks described herein shall be as follows:

Article and description	Commerce's maximum prices to resellers	Resellers' maximum prices to consumers or users
1. Butchers' meat block—top of the block 30" x 30" x 16"; overall height, 34"; made of laminated maple blocks, size 6" x 2" x 16"; tongue and groove construction; bolted together with steel rods through the center of block; condition, new	\$23.10	\$38.40
2. Butchers' meat block—top of the block 35" x 50" x 16", made of hard maple wood, consisting of pieces glued together forming sections running parallel to the sides; pieces then bolted together with rods running through the block; condition, new	58.50	97.25

(d) *Notification of maximum prices.* Any person who sells the butchers' meat blocks described in paragraph (c), including the Department of Commerce, shall advise the purchaser by notation on the invoice of the maximum prices established herein.

(e) *Records.* All resellers of the commodity subject to this order shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, customary records of all transactions.

(f) *Revocation and amendment.* This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective July 30, 1945.

Issued: July 30, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-15907; Filed, Aug. 25, 1945; 11:59 a. m.]

[Region III Order G-30 Under RMPR 122, Amtd. 5]

SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That paragraph (c) (1) of Order No. G-30 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I—CINCINNATI, OHIO

Column I	Column II	Column III
I. High volatile bituminous coals from producing District Nos. 7 and 8 (southern West Virginia, western Virginia, north-eastern Tennessee, and eastern Kentucky) except from the Bull Creek, Clintwood, Splash Dam, and Upper Banner seams and from mine index No. 61 in District 8 (the Blue Rose mine of the New Jellico Coal Co.): ¹		
A. Lump, size group Nos. 1 and 2 (bottom size larger than 3"):		
1. From the Harlan and Raven Rock, Harlan and Creech, Elkhorn 1 and 2, No. 2 Gas, Dorothy and Millers Creek seams in mine price classifications E through J	\$8.30	\$8.05
2. All other coals in mine price classifications G and lower excepting coal from mine index No. 413 (Belmont #8 Mine of the Coalburg Kanawha Mining Co.)	7.75	7.50
B. Egg, size group Nos. 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in mine price classifications G and lower	7.45	7.20

¹ \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

² These prices reflect certain increases which are in lieu of all increases authorized by Regional Supplementary Order No. 7 which reflects the adjustment granted in Amendment 137 to MPR 120 issued May 1, 1945.

SCHEDULE I—CINCINNATI, OHIO—Continued

Column I	Column II	Column III
I. High volatile bituminous coals from producing District Nos. 7 and 8—Con. C. Stoker, size group No. 10 (top size 1 1/4" and smaller x bottom size 1/8" and larger) in mine price classifications B and lower	\$8.00	\$7.75
D. Screenings, size group No. 20 (larger than 3/4" x 0 not exceeding 2" x 0) except coal from mine index No. 25 (Auxier No. 7 mine, of the Northeast Coal Co.) and yard screenings		5.95
E. To the prices stated in sections A, B, C and D of part I may be added \$.15 per ton provided the coal is mined in Sub-district No. 6 of Producing District No. 8, and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley		
II. Low volatile bituminous coals from producing district Nos. 7 and 8 (southern West Virginia, western Virginia, north-eastern Tennessee and eastern Kentucky) excepting mine index No. 28 (the Bradshaw mine of the Southern Coal Corporation) and mine index No. 73 (Glen Rogers No. 2 Mine of the Raleigh Wyoming Mining Company) both in Producing District No. 7 and mine index No. 391 (mine No. 2 of the Raven Red Ash Coal Co.) in Producing District No. 8: ¹		
A. Lump, size group No. 1 (bottom size larger than that designated for screened Run of Mine) in mine price classifications A through C	9.46	9.21
B. Egg, size group No. 2 (top size larger than 3" x bottom size no limit) in mine price classifications A through C	9.46	9.21
C. Stoker, or dedusted screenings, size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") in mine price classification A	7.96	7.71
III. Coke (excluding reclaimed or reject coke) nut and egg sizes	10.35	10.10

This Amendment 5 to Order No. G-30 under Revised Maximum Price Regulation No. 122 shall become effective July 17, 1945.

Issued: July 17, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-15906; Filed, Aug. 25, 1945; 11:59 a. m.]

[Region III Supp. Order 8]

SOLID FUELS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration generally, and particularly under § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That:

(a) Any seller of solid fuel who is subject to the provisions of any solid fuel area pricing order under Revised Maximum Price Regulation No. 122, heretofore or hereafter issued by this Regional Office, may, where applicable, charge the

following increases in the maximum prices set forth in such area pricing order:

Description of Solid Fuel and Permitted Increase in Maximum Price per Net Ton

Producing district No. 2 coal:	
1. Coal from all deep mines.....	\$0.06
2. Coal from prepared strip mines only.....	.06
Producing district No. 3 coal:	
1. Run of mine coals only.....	.05
2. All other sizes.....	.10
Producing district No. 6 coal:	
1. Coal from all mines.....	.04
Producing district No. 7 coal:	
1. Coal from all mines.....	.04
Producing district No. 11 coal:	
1. Coal from all mines.....	.04

(b) Except for the increases in the maximum prices herein permitted, on the sales to which they are applicable, this order shall in no way be considered as altering or changing the effectiveness of the said area pricing orders.

This Supplementary Order No. 8 shall become effective August 6, 1945.

Issued: August 6, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-15909; Filed, Aug. 25, 1945; 12:00 m.]

[Region III Supp. Order 9]

SOLID FUELS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration generally, and particularly under § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That:

(a) Any seller of solid fuel who is subject to the provisions of any solid fuel area pricing order under Revised Maximum Price Regulation No. 122, heretofore issued by this Regional Office, may, where applicable, charge the following increase in the maximum prices set forth in such area pricing order:

Description of Solid Fuel and Permitted Increase in Maximum Price Per Net Ton

By-product and retort gas coke produced in the Midwest and East.....	\$0.40
--	--------

(b) *Definitions.* (1) "By-product coke" means all coke and coke braize made in by-product oven plants.

(2) "Retort gas coke" means all coke and coke braize made in gas retort plants.

(3) "Midwest" includes the States of Alabama, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Tennessee, Wisconsin, and that part of Ohio west of a line running north and south through a point immediately west of Cleveland.

(4) "East" includes all of the States along the Atlantic seaboard, the States of Vermont and West Virginia, and that part of the State of Ohio east of a line running north and south through a point immediately west of Cleveland.

(c) Except for the increase in the maximum prices herein permitted, on

the sales to which they are applicable, this order shall in no way be considered as altering or changing the effectiveness of the said area pricing orders.

This Supplementary Order No. 9 shall become effective August 9, 1945.

Issued: August 9, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-15908; Filed, Aug. 25, 1945; 12:00 m.]

[Binghamton Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN BINGHAMTON, N. Y. DISTRICT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. What this order does. In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles and cans, but not by brewers whether or not required to price as wholesalers under section 2.2 (d) of such regulation.

SEC. 2. Where this order applies. The provisions of this order shall apply to all wholesalers and retailers located within the counties of Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Sullivan, Tioga, Tompkins, and Yates, in the State of New York.

SEC. 3. Applicability. No wholesaler or retailer located within the area where this order is applicable may require a deposit from a purchaser in excess of the sum permitted in this order.

SEC. 4. Deposit charges established by this order. The maximum deposit charge for all sellers to which this order is applicable are as follows:

	Per bottle
(a) Bottles of 16 oz. or less capacity.....	\$0.02
(b) Bottles of more than 16 oz., but not more than 32 oz. capacity.....	.05
(c) Bottles of more than 32 oz., but not more than 64 oz. capacity.....	.10
(d) Wooden, steel, fiber, corrugated cartons, or other empty cases or containers constructed to contain:	Per case
24 bottles of 16 oz. or less capacity...	\$0.27
12 bottles of 16 oz. or not more than 32 oz. capacity.....	.15
6 bottles of more than 32 oz., but not more than 64 oz. capacity.....	.15

SEC. 5. Definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective on August 29, 1945.

Issued this 22d day of August 1945.

HOWARD T. WARE,
District Director.

[F. R. Doc. 45-15835; Filed, Aug. 24, 1945; 1:13 p. m.]

[Region IV Rev. Order G-4, Under RMPR 122, Amdt. 2]

SOLID FUELS IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (2) of Revised Order No. G-4 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945, is hereby amended to read as follows:

(2) *Low volatile bituminous coal from District No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and egg.....	\$11.95	\$6.23	\$3.24
Stove.....	11.30	5.99	3.08
Domestic nut.....	10.45	5.48	2.86
Domestic pea.....	9.85	5.18	2.71
Domestic run-of-mine.....	10.35	5.43	2.84
Domestic straight run-of-mine.....	9.50	5.00	2.63
Nut and slack.....	9.25	4.88	2.56

Effective date. This amendment shall become effective as of August 3, 1945.

Issued: Aug. 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15828; Filed, Aug. 24, 1945; 1:11 p. m.]

[Region IV Rev. Order G-5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN CHARLOTTE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) of Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945 is hereby amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order area as follows for sales on a "direct delivery or domestic" basis:

(1) *Briquettes and Pennsylvania anthracite.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Pennsylvania anthracite nut.....	\$20.05	\$10.28	\$5.43
Briquettes.....	12.22	6.36	3.37

(2) *Low volatile bituminous coal from District No. 7.*

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg.....	\$11.35	\$5.93	\$3.15
Stove size (jr. egg).....	11.10	5.80	3.09
Nut size.....	10.35	5.43	2.90
Pea size stoker.....	10.05	5.28	2.83
Domestic run-of-mine (screened).....	10.15	5.33	2.85
Straight run-of-mine.....	9.95	5.22	2.80

(3) High volatile from District No. 8.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump coal from mine index 481, Benedict Coal Corp.; mine index 433, Southern Collieries, Inc.	\$10.60	\$5.55	\$2.96
Lump.....	10.45	5.48	2.93
Egg.....	10.10	5.30	2.84
Stoker, size group 10—from mine index 119, Clinchmore Coal Co.	10.40	5.45	2.91
Stoker, size group 10—from mine index 213, Gatlin Coal Co.	10.05	5.28	2.83
Stoker.....	9.90	5.20	2.79
Domestic run-of-mine (screened), and nut and slack.....	9.15	4.83	2.60

(4) Sale of coal in sacks. Dealer may charge not more than 71¢ for 100 lb. sack of any kind of coal listed herein, or more than 61¢ if said sack is picked up at a dealer's yard by purchaser.

Effective date. This amendment shall become effective as of August 3, 1945.

Issued: August 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15827; Filed, Aug. 24, 1945;
1:11 p. m.]

[Region IV 2d Rev. Order G-7 Under RMPR
122, Amdt. 2]

SOLID FUELS IN KNOXVILLE, TENN., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-7 issued by this office on June 1, 1945, is hereby amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) Maximum prices. Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) High volatile bituminous coal from District No. 8.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
(i) Lump coal: From mine index No. 228, Fox Ridge Mining Co., Inc.; from mine index No. 404, Francis Rex Coal Co.; from mine index No. 605, Pee Wee Coal Co.; from mine index No. 5805, Gatlin Coal Co.	\$7.90	\$4.08
From mine index No. 123, Clover Splint Coal Co., Inc.; from mine index No. 233, Harlan Central Coal Co., Inc.; from mine index No. 244, High Splint Coal Co.; from mine index No. 323, Blue Diamond Coal Co.; from mine index No. 354, Etna Coal & Coke Co.; from mine index No. 364, Gibson Fuel Co.; from mine index No. 453, Sun Coal Co.; from mine index No. 5623, The Blue Gem Coal Co.; and from mine index No. 7073, Highland Construction Co.	7.65	3.95
All other mines.....	7.55	3.90

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
(ii) Egg coal: From mine index No. 605, Pee Wee Coal Co.	\$7.60	\$3.93
From mine index No. 2, Kentucky Straight Creek Coal Co.; from mine index No. 38, Kentucky Straight Creek Coal Co.; from mine index No. 228, Fox Ridge Mining Co., Inc.; from mine index No. 323, Blue Diamond Coal Co.; from mine index No. 435, New Southland Coal Corp.; and from mine index No. 3764, New Southland Coal Corporation.	7.35	3.80
From all other mines.....	7.25	3.75
(iii) Stove coal: From mine index No. 323, Blue Diamond Coal Co.	6.90	3.58
From all other mines.....	6.75	3.50
(iv) Stoker coal, size group No. 10: From mine index No. 110, Clinchmore Coal Mining Co., and from mine index No. 605, Pee Wee Coal Co.	7.60	3.93
From mine index No. 49, The Black Mountain Corp.; from mine index No. 50, The Black Mountain Corp.; from mine index 61, New Jellico Coal Co.; from mine index No. 339, Blue Diamond Coal Co.; and from mine index No. 512, Big Jim Coal Co.	7.45	3.85
From all other mines.....	7.30	3.78
(v) Run-of-mine.....	6.75	3.50
(vi) Steam Coal.....	6.17	3.21
(vii) Yard nut and slack.....	5.30	2.78

2. Subparagraph (f) (5) is hereby revoked.

Effective date. This amendment shall become effective Aug. 18, 1945.

Issued: August 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15829; Filed, Aug. 24, 1945;
1:11 p. m.]

SOLID FUELS IN DANVILLE, VA., AREA

[Region IV Rev. Order G-9 Under RMPR 122, Amdt. 3]

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Revised Order No. G-9 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(1) Low volatile bituminous coal from District No. 7.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Stove.....	\$9.75	\$5.13	\$2.60
Egg.....	10.15	5.33	2.79
Stoker.....	8.60	4.55	2.40
Run-of-mine.....	8.90	4.70	2.48
Nut.....	9.15	4.83	2.54
Slack.....	6.60	3.55	1.90

Effective date. This amendment shall become effective as of August 3, 1945.

Issued: August 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15832; Filed, Aug. 24, 1945;
1:12 p. m.]

[Region IV 2d Rev. Order G-10 Under RMPR 122, Amdt. 3]

SOLID FUELS IN HENRICO, HANOVER, AND CHESTERFIELD COUNTIES, AND RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraphs (e) (1) and (e) (5) of Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945 are amended to read as follows:

(1) Low volatile bituminous coal from District No. 7.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg (double screened).....	\$12.90	\$6.95	\$3.98
Egg (single screened).....	11.90	6.45	3.73
Stove size (double screened).....	12.55	6.78	3.89
Stove size (single screened).....	11.55	6.28	3.64
Nut size (double screened).....	11.10	6.05	3.53
Nut size (single screened).....	10.70	5.85	3.43
Pea stoker.....	10.35	5.68	3.34
Run-of-mine (screened or straight).....	10.20	5.60	3.30
Nut and slack.....	9.85	5.43	3.21

(5) Briquettes.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Briquettes.....	\$13.42	\$7.21	\$4.11

Effective date. This amendment shall become effective as of August 3, 1945.

Issued: August 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15830; Filed, Aug. 24, 1945;
1:12 p. m.]

[Region IV Rev. Order G-11 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ROANOKE, VA., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Revised Order No. G-11 under Revised Maximum Price Regulation No. 122 issued by this office on April 21, 1945 is amended to read as follows:

(1) Low volatile bituminous coal from District No. 7.

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Run-of-mine (domestic).....	\$7.90	\$4.20	\$2.33
Run-of-mine (steam).....	7.80	4.15	2.30
Stove, from mine index 38, Koppers Coal Division, Eastern Gas and Fuel Associates.....	8.55	4.53	2.49
Stove.....	8.50	4.50	2.48
Egg.....	9.00	4.75	2.60
Lump.....	7.75	4.13	2.29
Nut and chestnut.....	7.90	4.20	2.33
Stoker.....	7.60	4.05	2.25
Slack.....	5.55	3.03	1.74

Effective date. This amendment shall become effective as of August 3, 1945.

Issued: August 13, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15831; Filed, Aug. 24, 1945;
1:12 p. m.]

[Region VIII Order G-1 Under SR 14E]

NON-GOVERNMENT ISSUE SAILOR UNIFORMS IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 1.3 (b) of Supplementary Regulation No. 14E and paragraph (c) subparagraph (8) of Revised General Order No. 32, as amended, it is hereby ordered as follows:

(A) **Non-Government Issue sailor uniforms—(a) Commodities covered.** This order covers uniforms consisting of pants and jumper, made of material other than cotton, not of government issue, worn, or designed to be worn by enlisted men of the United States Navy. This order covers both complete uniforms consisting of pants and jumper, and the pants or the jumpers separately. When the words "uniform" or "uniforms" are used in this order they mean and include the complete uniform, or the pants, or the jumpers, as the case may be. Where any provision is limited to complete uniforms, separate pants or separate jumpers, specific reference to one of these commodities will be made. For uniforms made of materials other than those for which specific maximum prices are hereinafter set forth, maximum prices shall be established under section 1499.3 of the General Maximum Price Regulation. Applications filed under section 1499.3 shall be filed with the San Francisco Regional Office of the Office of Price Administration, at 1355 Market Street, San Francisco, California.

(b) **Transactions covered.** (1) This order applies to all sales and deliveries of uniforms, regardless of where fabricated, if the sale or delivery is made within Region VIII.

(2) "Region VIII" when used in this order, means the area consisting of the states of California, Washington, Nevada, Oregon (except Malheur County), Arizona (except those portions of Coconino County and Mohave County lying north of the Colorado River), and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(c) **Prohibitions.** (1) No person shall sell or deliver uniforms covered by this order at prices higher than those established herein, and no person in the course of trade or business shall buy or receive uniforms at prices higher than those established herein.

(2) No person shall do any act which directly or indirectly increases above the maximum price the consideration paid or furnished by the purchaser for uniforms covered by this order. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to devices

making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, and similar practices.

(3) No person shall offer or attempt to do, or solicit the doing of any of the foregoing.

(4) No person shall fail to do any act required of him by any provision of this order.

(d) **Definitions.** (1) When used in this order, the following terms shall have the following meaning:

(i) "Ready-made" means, with respect to uniforms, all uniforms other than "made-to-measure" or "custom-tailored" uniforms, including those commonly known as "stock suits".

(ii) "Made-to-measure" means that the ultimate user's measurements have been taken at one place of business and the complete uniform is cut and made to those measurements at another place of business.

(iii) "Custom-tailored" means that the ultimate user's measurements are taken and the complete uniform is individually cut to that measurement in the same place of business.

(iv) "Ultimate user" means, with respect to any uniform, a person for whose personal wear it is bought or to whose specific measure it is made.

(v) "Sale at retail" means, with respect to any uniform, a sale to an ultimate user or to any other person for delivery to an ultimate user without further sale.

(vi) "Manufacturer" means, with respect to any uniform, a person other than a contractor, who fabricates the uniform.

(vii) The term "sale" includes sales, dispositions, exchanges, leases, and other transfers, and contracts and offers to do any of the foregoing.

(e) **Maximum prices for sales at retail.** (1) The maximum price for a sale at retail of a "Non Government Issue sailor uniform" made from the kind and quality of material specified in this paragraph is the applicable one of the following:

TYPE OF MATERIAL

[All materials must be all wool of fast color and preshrunk]

	Ready-made		
	Complete uniform	Jumper alone	Pants alone
14 oz. serge.....	\$33.75	\$18.00	\$15.75
16-18 oz. serge.....	36.75	19.85	16.90
Gabardine, whipcord or elastique.....	39.75	21.75	18.00
	Made-to-measure		
	Complete uniform	Jumper alone	Pants alone
14 oz. serge.....	\$36.00	\$19.50	\$16.50
16-18 oz. serge.....	39.00	21.75	17.25
Gabardine, whipcord or elastique.....	42.00	23.25	18.75
	Custom-tailored		
	Complete uniform	Jumper alone	Pants alone
14 oz. serge.....	\$38.75	\$21.00	\$17.75
16-18 oz. serge.....	41.75	22.85	18.90
Gabardine, whipcord or elastique.....	44.75	24.75	20.00

(The above prices include the cost of all necessary alterations. They do not include the cost of insignia, or the service of attaching insignia, which may be charged for separately at prices not exceeding their maximum prices.)

(2) The price shown for made-to-measure and custom-tailored uniforms will apply only if the manufacturer has embroidered or stitched the name of the ultimate user into the linings in the manner specified in paragraph (g). The price shown for custom tailored uniforms will apply only if the seller also sews into the uniform a label to the effect that the uniform was "made to the individual measurements of (name of ultimate user)". Order No. _____. Unless these requirements are met the maximum price shall be the maximum price for a ready-made uniform of like material, even though the other requirements for "made-to-measure" or "custom-tailored" uniforms are met.

(3) Every person selling a uniform to an ultimate user thereby guarantees to him that the color is fast and the material is preshrunk; and such persons must replace, free of charge, any uniform if, as a result of cleaning or washing, its color is not fast.

(f) **Maximum prices for all sales of uniforms other than sales at retail.** (1) If the sale is not a sale at retail, the maximum price for the sale of a uniform made from materials of the kind and quality specified in this paragraph shall be the applicable one of the following:

TYPE OF MATERIAL

[All materials must be all wool of fast color and preshrunk]

	Ready-made		
	Complete uniform	Jumper alone	Pants alone
14 oz. serge.....	\$22.50	\$12.00	\$10.50
16-18 oz. serge.....	24.50	13.25	11.25
Gabardine, whipcord or elastique.....	26.50	14.50	12.00
	Made-to-measure		
	Complete uniform	Jumper alone	Pants alone
14 oz. serge.....	\$24.00	\$13.00	\$11.00
16-18 oz. serge.....	26.00	14.50	11.50
Gabardine, whipcord or elastique.....	28.00	15.50	12.50

Terms: Net cash 30 days or net 10 days, EOM, basis f.o.b. factory.

(2) Every manufacturer selling a uniform thereby guarantees to the buyer, to all subsequent buyers, and to the ultimate user that the color is fast and the material is preshrunk; and such manufacturer must replace, free of charge, any uniform if, as a result of cleaning or washing, its color is not fast.

(3) The price shown for made to measure uniforms will apply only if the manufacturer has embroidered or stitched the name of the ultimate user into the linings in the manner specified in paragraph (g). Otherwise, the maximum price shall be the maximum price for a ready-made uniform of like material to the same customer.

(4) If a uniform is sold by a person who is neither a manufacturer nor a retailer, such seller thereby guarantees to the buyer, to all subsequent buyers, and to the ultimate user that the color is fast and the material is preshrunk; and such seller must replace, free of charge, any uniform if, as a result of cleaning or washing, the color is not fast.

(g) *Rules as to embroidering or stitching name.* The maximum price established by paragraphs (e) and (f) for sales of made-to-measure and custom-tailored uniforms, refer to this paragraph for the requirements as to embroidering or stitching the ultimate user's name. When such reference is made the name must be embroidered or stitched by the manufacturer directly into the lining sewed to the front flap of the pants and directly to the lining sewed to the yoke of the jumper. Such embroidering or stitching must be done during the process of manufacture before the lining is affixed. The sewing of a tab or strip with the ultimate user's name onto the lining, for example, will not satisfy the requirement as the name must be incorporated into the lining itself.

(h) *Information to purchasers—(1) Marking.* On and after the effective date of this order, no person shall sell or deliver any ready-made uniform unless such uniform is correctly marked. Marking shall be accomplished by attaching to each jumper and each pair of pants covered by this order a ticket which shall contain the information described below. This information may be written on the size ticket if desired. On each ticket of each jumper and each pair of pants covered by this order, shall appear the symbol 8R-OPA-G-1, the maximum retail price for jumper and pants sold as a complete suit, the maximum retail price for jumper only, and the maximum retail price for pants only. Separate pants and jumpers not manufactured as part of a full uniform shall be marked only with 8R-OPA-G-1 and the maximum retail price of the jumper or pants, as the case may be. Primary responsibility for making uniforms in this manner is upon the manufacturer. However, should he not comply with this provision, any subsequent seller into whose hands the uniforms come without marking is required to mark them as required herein. Marking by subsequent seller, however, shall not extinguish the liability of any previous seller for his failure to comply with the provisions of this paragraph. The ticket must remain attached to the pants and jumper at all times until they are delivered to the ultimate user.

(2) The following is an example of the marking ticket for use on uniforms:

RETAIL CEILING PRICE 8R-OPA-G-1

Suit.....	\$.....
Jumper only.....	\$.....
Pants only.....	\$.....

(I) *Records.* (1) Every person selling uniforms subject to this order must keep and make available for examination by the Office of Price Administration:

(i) All records required to be kept pursuant to the General Maximum Price Regulation;

(ii) Records of the kind which he kept during March, 1942, or which he kept upon first commencing to do business if that was after March, 1942.

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(2) *Posting maximum prices and other information.* Each person selling or offering to sell uniforms at retail shall have posted in a conspicuous place in his store a sign not smaller in size than 20" x 26" showing the following:

(i) His maximum price for each kind of uniform which he offers to sell according to the classifications of uniforms shown in this regulation.

(ii) A guarantee as follows "The material used in our suits is guaranteed to be of fast color, preshrunk and all wool."

(3) Each seller of made-to-measure or custom-tailored uniforms shall, upon taking an order for a made-to-measure or custom-tailored uniform, record the name and address of the person for whose use the uniform is to be fabricated, such person's measurements, and the type of material from which the uniform is to be fabricated. Where the uniform is to be cut and made to these measurements at another place of business, two copies of this record (herein referred to as an "order") must be made, the name and address of the place of business where the uniform is to be cut and made must be recorded, and one copy of such order must be forwarded to that place of business, must be kept by the latter and must be made available for inspection by the Office of Price Administration. Each order shall be consecutively numbered by the person recording the information; the copy which is transmitted to the place of business where the uniform is to be cut and made must bear the same serial number as the original. If a uniform is custom-tailored, the serial number on the order must correspond with the order number placed on the label required to be placed on the uniform by the provisions of paragraph (e) (2) of this order.

(4) *Sales slips.* Any person who has customarily given a purchaser a sales slip or similar evidence of purchase, must continue to do so. Upon request from any purchaser, any seller, regardless of previous custom, must give to the purchaser a receipt showing the date, the name and address of the seller, the kind of uniform sold and the price received for it. Persons making sales of uniforms to any person other than an ultimate user must give such person an invoice showing the date of the sale, the name and address of the seller and buyer, the kind and number of uniforms sold, and the price charged and received. Such invoice must be mailed or otherwise delivered to the buyer not later than the close of the business day following the delivery of the uniforms. Copies of all such invoices must be kept at the principal place of business of the seller and made available for examination by the Office of Price Administration.

(J) *Effective date.* This order shall be effective August 13, 1945.

Issued this 6th day of August 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-15825; Filed, Aug. 24, 1945; 1:10 p. m.]

[San Francisco Order G-1 Under Rev. Restaurant MPR 8-1, Revocation]

CERTAIN RESTAURANT FOOD ITEMS IN SAN FRANCISCO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the San Francisco District Office by section 19 of Revised Restaurant Maximum Price Regulation No. 8-1, Order of Delegation No. 30 issued thereunder by the Regional Administrator of Region VIII, and section 25 paragraphs (c) and (d) of Restaurant Maximum Price Regulation No. 2 and under the authority reserved in the above named Order No. G-1, the said order is hereby revoked.

This order of revocation shall become effective September 1, 1945.

Issued this 18th day of August 1945.

ROBERT B. PARKS,
District Director.

[F. R. Doc. 45-15834; Filed, Aug. 24, 1945; 1:13 p. m.]

[Region VIII Order G-11 Under RMPR 251]

INSTALLED ROOFING AND SIDING IN SOUTHERN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, it is hereby ordered:

(a) *Geographical applicability.* This order shall apply to the following counties in the State of California: Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.

(b) *Maximum prices.* The maximum prices of any seller whose principal place of business located in the above described areas, or who sells the following materials in that area on an installed basis are established as follows:

Item and maximum price (per square of 100 sq. ft. unless otherwise noted)

A. *Installed roofing.* (The following maximum prices cover sales of materials installed according to manufacturers' specifications and include material and labor for hip, side, and valley and nails, mastic, and flashing around chimneys and vents.)

(1) *Composition roofing:*

1. 105# classification, including diamond point, pyramid, shadow-point, gothic point, roll roofing nailed on..... \$7.00
2. 130 to 150# classification, including standard Dutch lap, lok, grip-lock shingles..... 9.00
3. 151 to 173# classification, including hexagon, standard gothic, giant Dutch lap, everite, rigid slab, and alumi shield shingles..... 10.00
4. 174 to 239# classification, including square butt, thick-butt, and square tab..... 12.00
5. 255 to 325# classification rigid asbestos shingles (white or colored)..... 25.00
6. 90# roll composition mineral surface, nailed on..... 5.50

(i) Composition roofing—Continued.

7. 90# roll composition mineral surface, nailed on with seams mopped	\$6.00
8. 15# asphalt felt plus 60# smooth or 90# mineral surfaced cap, nailed and mopped on	8.00
9. 30# felt plus 60# smooth or 90# mineral surfaced cap, nailed and mopped on	8.50
10. 40# felt plus 60# smooth or 90# mineral surfaced cap, nailed and mopped on	8.75
11. 2 layers 15# asphalt felt, mopped between and on top	4.50
12. 2 layers 30# asphalt felt, nailed and mopped between and on top (new work under tile)	6.50
13. 3 layers 15# asphalt felt, mopped on and graveled	8.50
14. 2 layers 30# asphalt felt, mopped on and graveled	8.00
15. 2 layers 40# specification mopped on and graveled	8.50
16. 58# mineral surface split sheet, nailed and mopped on	8.00
17. 58# metallic surface split sheet, nailed and mopped on	8.50
18. 30# asphalt felt and 2 layers of 58# metallic split sheet, nailed and mopped on	12.00
19. 30# asphalt felt and 90# cap sheet, mopped to existing corrugated iron	9.00
20. 1 layer Irish flat felt and gray crushed rock over corrugated iron—4 moppings asphalt	12.00
21. 65# alumi shield, mopped over 30# asphalt felt	9.50
22. 65# asbestos felt, nailed on with seams mopped	7.00
23. 3 layers 15# or 20# asbestos felt, mopped between and on top	12.00
24. 45# asbestos felt, nailed on, plus 2 layers 15# or 20# asbestos, mopped between and on top	12.50
25. 2 layers 45# asbestos felt, mopped between and on top	10.50
26. 65# asbestos felt and two layers 15# or 20# asbestos felt, mopped between and on top	13.75
27. 45# asbestos felt, mopped over one layer 30# asphalt felt	8.50
28. 55#, 60#, or 65# asbestos felt, mopped over one layer 30# asphalt felt	9.50
29. 55#, 60#, or 65# asbestos felt, mopped over one layer 15# asphalt felt	9.00
30. 45# asbestos felt, mopped over one layer 15# asphalt felt	8.00
31. 30# asphalt felt, nailed on, plus one layer 15# or 20# asbestos felt, mopped on	8.00
On built up roofs having a pitch greater than $\frac{1}{4}$ (4" vertical rise in each 12" of horizontal dimension) and on other roofs having a pitch greater than $\frac{1}{4}$ (8" vertical rise in each 12" of horizontal dimension), to the foregoing prices add	1.00
32. 30# asphalt felt, nailed on	3.50
33. Plain asphalt roof coatings, cold application	2.00
34. Fibre roof coatings, cold application	2.50
For additional layers of material the foregoing prices may be increased by the amounts shown in the following items:	
35. 1 extra layer 15# asphalt felt, mopped on	2.00
36. 1 extra layer 30# asphalt felt, mopped on	2.50
37. 1 extra layer 40# specification, mopped on	2.75
38. 1 extra layer 15# or 20# asbestos felt, mopped on	2.50

(ii) Flashing (other than around chimneys and vents):

1. Galvanized iron flashing 4"—26 ga. (per lineal ft.)	\$0.15
2. Fabric and plastic flashing (per lineal ft.)	.15
3. Tile coping, standard mission type (per lineal ft.)	.25
4. 3 course asbestile flashing (per lineal ft.)	.25

(iii) Extras:

1. For removal of old composition roofs	1.50
2. For removal of old wood shingles	2.25
3. For finishing gable ends or eaves with full roll (per lineal ft.)	.25
4. For finishing gable ends or eaves with half roll (per lineal ft.)	.10
5. For metal edging ($\frac{1}{2}$ " x 1" x $1\frac{1}{2}$ " (per lineal ft.)	.08

(iv) Additions applying to built up roofs:

1. For jobs on buildings of more than 2 stories, for each story above the second, add	.30
2. For jobs of less than five squares, add	2.00

B. Installed siding. (The following prices cover installed sales of these materials applied according to manufacturers' specifications and include nails, mastic, and corners.)

(i) Siding material:

1. Rigid insulated siding or $\frac{5}{8}$ " composition siding with imitation brick or stone pattern	\$30.00
2. Roll or strip composition siding with imitation brick or stone pattern	16.00
3. Rigid asbestos siding	25.00

(ii) Additions and extras:

1. For each square applied to any story above the first story	1.00
2. For 15# or 30# asphalt felt underlay	1.00
For jobs of less than five squares, add	10%

(c) Definitions. (1) "Mopped on" or "mopped over" means applied over another layer of roofing by means of a continuous membrane of asphalt which has been liquefied by heat.

(2) "Square" means 100 square feet of roof area or wall area, as the case may be.

(d) Quoting a guaranteed price. A seller may offer to sell a roofing job covered by this order on the basis of a guaranteed price, the seller agreeing to charge a fixed amount: *Provided, however*, That such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. Upon completion of the contract and before final payment, if requested by the purchaser, the seller must furnish the purchaser with an itemized statement showing the number of square feet and the weight, type, and unit price of each category of roofing and an explanation of any amount for incidental work.

(e) Notification to Purchasers. Every person making sales subject to this order shall certify on his invoice or sales tag that the price charged does not exceed the price permitted by this Order No. G-11 under Revised Maximum Price Regulation No. 251.

(f) For roofing repair work or any combination or types of applied roofing materials which cannot be priced according to the above schedule, the maximum price is the actual cost of materials at

not over-ceiling prices, plus actual cost of labor paid at not over authorized labor rates, plus a markup of 100% for materials and labor costing not over \$15.00, and 50% on any excess over \$15.00.

(g) The prices established by this order supersede those provided by sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251; except to the extent they are inconsistent herewith, the other provisions of Revised Maximum Price Regulation No. 251 apply to this order.

(h) Any practice or device which results in a higher price to the purchaser than is permitted by this Order No. G-11 is as much a violation as an outright overceiling charge and subjects the seller to the penalties provided by Section 16 of Revised Maximum Price Regulation No. 251.

(i) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 22, 1945.

Issued this 17th day of August 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-15833; Filed, Aug. 24, 1945; 1:12 p. m.]

[Region VIII Rev. Order G-7 Under MPR 280, Amdt. 4]

FLUID MILK IN WASHINGTON

An opinion accompanying this amendment has been issued simultaneously herewith. Revised Order No. G-7 under Maximum Price Regulation No. 280, as amended, is amended to read as follows:

(a) The maximum price at which any handler may sell fluid milk in bulk for human consumption as fluid milk to another handler is the first of the following prices which is applicable:

(1) For milk sold to a buyer whose plant is located in the Cities of Seattle, Tacoma, or Bremerton, in the State of Washington, \$0.90 per pound fat plus \$0.20 per cwt. if the milk is delivered to such plant, or that price less cost of transportation from the seller's plant to Seattle, Washington, if the milk is not delivered to such buyer's plant.

(2) For milk sold to a buyer whose plant is located in Whatcom County by a seller whose plant is located in that county, \$0.80 per pound fat plus \$0.15 per cwt., f. o. b. seller's plant, or that price plus cost of transportation to the buyer's plant if such milk is delivered to such buyer's plant.

(3) For milk sold to a buyer whose plant is located in Skagit County or Whidby Island by a seller whose plant is located in Skagit County, \$0.82 per pound fat plus \$0.15 per cwt., f. o. b. seller's plant, or that price plus cost of transportation to the buyer's plant if such milk is delivered to such buyer's plant.

(4) For milk sold to a buyer whose plant is located in Snohomish County by a seller whose plant is located in that county, \$3.30 per cwt. for milk testing 3.8% butterfat, f. o. b. seller's plant, or that price plus cost of transportation to

the buyer's plant if such milk is delivered to such buyer's plant; for milk testing other than 3.8% butterfat the foregoing price shall be increased or decreased by \$0.07 for each 0.1% by which the butterfat content exceeds or is less than 3.8%, as the case may be.

(5) For milk sold to a buyer whose plant is located other than in Snohomish County, or the Cities of Seattle, Tacoma, or Bremerton, in the State of Washington, by a seller whose plant is located in Snohomish County, \$0.87 per pound fat, f. o. b. seller's plant, or that price plus cost of transportation to buyer's plant if such milk is delivered to such buyer's plant.

(6) For all milk sales not provided for above, f. o. b. seller's plant, \$0.30 per pound fat plus \$0.20 per cwt., minus cost of transportation from seller's plant to Seattle, Washington, or such f. o. b. price plus cost of transportation from seller's plant to buyer's plant if such milk is delivered to such buyer's plant.

(b) This order shall apply to handlers whose plants are located in the following counties in the State of Washington:

Chelan.	Pacific.
Clallam.	Pierce.
Grays Harbor.	San Juan.
Island.	Skagit.
Jefferson.	Snohomish.
King.	Thurston.
Kitsap.	Whatcom.
Kittitas.	Yakima.
Lewis.	Mason.
Okanogan.	

(c) *Definitions.* (1) "Fluid Milk" means liquid cows' milk in a raw, unprocessed state meeting the minimum health and sanitary requirements specified by State and local health agencies, which is purchased for resale for human consumption as fluid milk.

(2) "Handler" means any person who, on his own behalf or on behalf of others, purchases fluid milk from producers, associations of producers, or other handlers, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(i) A "farmers' cooperative" is also a handler with respect to that fluid milk processed for it by operators of milk receiving or processing plants, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(ii) A "producer" is also a handler with respect to that fluid milk purchased by him from other producers, associations of producers, or other handlers, which fluid milk is sold by him at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(3) "Purchaser of the same class" refers to the practice followed by the seller during the base period, August 1943, in setting different prices for sales to different purchasers or kinds of purchasers

(for example, but not limited to, manufacturer, wholesaler, or jobber) or for purchasers located in different areas or for different quantities or, under different conditions of sale.

This amendment to Revised Order No. G-7 shall become effective August 15, 1945.

Issued this 9th day of August 1945.

FRANK H. SLOSS,
Acting Regional Administrator.

[F. R. Doc. 45-15826; Filed, Aug. 24, 1945;
1:10 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 23, 1945.

REGION II

Harrisburg Order 2-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:37 a. m.

Seranton Order 4-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:38 a. m.

REGION VII

Albuquerque Order 8-F, Amendment 28, covering fresh fruits and vegetables in the Albuquerque Area. Filed 10:37 a. m.

Boise Order 1-B, (Revocation), covering dry groceries. Filed 10:39 a. m.

Boise Order 5-F (Correction), covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:39 a. m.

Boise Order 5-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:39 a. m.

Boise Order 5-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:39 a. m.

Boise Order 5-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:39 a. m.

Boise Order 6-F (Correction), covering fresh fruits and vegetables in certain areas in Idaho. Filed 10:40 a. m.

Helena Order 3-C, covering poultry in certain areas in Montana. Filed 10:37 a. m.

Helena Order 4-C, covering poultry in certain areas in Montana. Filed 10:38 a. m.

REGION VIII

Los Angeles Order 3-F, Amendment 10, covering fresh fruits and vegetables in the Los Angeles Area. Filed 10:40 a. m.

Los Angeles Order 4-F, Amendment 10, covering fresh fruits and vegetables in the Long Beach-San Bernardino Area. Filed 10:40 a. m.

Los Angeles Order 5-F, Amendment 10, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:40 a. m.

Los Angeles Order 6-F, Amendment 10, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:40 a. m.

Portland Order 12-C, covering poultry in the Western and South Western parts of Oregon and Washington. Filed 10:37 a. m.

Portland Order 13-C, covering poultry in certain counties in Eastern Oregon. Filed 10:37 a. m.

San Francisco Order 13-F, Amendment 13, covering fresh fruits and vegetables in certain areas in California. Filed 10:38 a. m.

San Francisco Order 14-F, Amendment 13, covering fresh fruits and vegetables in certain areas in California. Filed 10:38 a. m.

San Francisco Order 15-F, Amendment 13, covering fresh fruits and vegetables in certain areas in California. Filed 10:38 a. m.

San Francisco Order 16-F, Amendment 13, covering fresh fruits and vegetables in Del Norte and Humboldt (except city of Eureka). Filed 10:38 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-15964; Filed, Aug. 27, 1945;
11:27 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT AND AMENDMENT OF PRIOR DOCUMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4433, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391a, 392, 404, 411, 481, 489, and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.)), the following approval of equipment and amendment of prior document is prescribed:

APPROVAL OF EQUIPMENT LIFEBOATS

24' x 8' x 3.5' metallic motor-propelled lifeboat (382 cu. ft. net capacity, 36-person peacetime capacity, 25-person wartime capacity) (General Arrangement Dwg. No. G-365, dated 16 June, 1945, revised 1 August 1945), submitted by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y. (Supersedes approval 19 November, 1943, 8 F.R. 15745)

22' x 7'6" x 3'2" metallic motor lifeboat (28-person peacetime capacity, 19-person wartime capacity) (General Arrangement Dwg. No. M-1025-A, dated 23 March, 1944), submitted by Imperial Lifeboat and Davit Co., Inc., Athens, New York.

22' x 7'6" x 3'2" metallic oar-propelled lifeboat (31-person peacetime capacity, 20-person wartime capacity) (General Arrangement Dwg. No. 1024-A, dated 23 March, 1944), submitted by Imperial Lifeboat and Davit Co., Inc., Athens, New York.

In F.R. Doc. 45-14062, published in the FEDERAL REGISTER dated August 1, 1945, on page 9563, the listing of approval under "Feedwater Regulator of the 'Pepco-Campbell' Marine Feedwater Regulating and Signaling System", submitted by Proctor Engineering Company is amended by changing the word "Pepco-Campbell" to "Peco-Campbell".

Dated: August 27, 1945.

L. T. CHALKER,
Rear Admiral, U.S.C.G.,
Acting Commandant.

[F. R. Doc. 45-16062; Filed, Aug. 28, 1945;
11:24 a. m.]

WAR PRODUCTION BOARD.

[Certificate 29, Revocation]

GENERAL ELECTRIC CO. AND WESTINGHOUSE
ELECTRIC AND MFG. CO.

EXCHANGE OF PLANS, DRAWINGS AND POOLING
OF INFORMATION

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and find-

ing dated February 2, 1943, concerning an arrangement entered into at the request of the Navy Department between General Electric Company and Westinghouse Electric and Manufacturing Company for the exchange of plans, drawings, designs, and the pooling of manufacturing information, with respect to certain auxiliary turbine generators for delivery to the Navy Department.

Dated: August 23, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16045; Filed, Aug. 28, 1945;
10:07 a. m.]

[Certificate 85, Revocation]

ARRANGEMENT FOR PRODUCTION OF CERTAIN
NAVAL EQUIPMENT

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated June 22, 1943, concerning an arrangement being entered into at the request of the Navy Department between certain manufacturing companies for collaboration in the production of certain naval equipment.

Dated: August 23, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16046; Filed, Aug. 28, 1945;
10:07 a. m.]

[Certificate 97, Revocation]

BENDIX AVIATION CORP. AND AMERICAN
BOSCH CORP.

APPROVAL OF PROPOSED AGREEMENT

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated July 17, 1943, concerning a proposed agreement between Bendix Aviation Corporation and American Bosch Corporation for the exchange of information and the granting of patent licenses and other collaboration in the production of certain naval equipment.

Dated: August 23, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16047; Filed, Aug. 28, 1945;
10:07 a. m.]

[Certificate 157, Revocation]

RAYON YARN

APPROVAL OF MEMORANDUM

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated November 11, 1943, concerning a proposal that the American Viscose Corporation of Wilmington, Delaware; the Industrial Rayon Corporation of Cleveland, Ohio; E. I. Du Pont de Nemours & Company, Inc., of Wilmington, Delaware; the American Enka Corporation of New York, New York, and

the North American Rayon Corporation of New York, New York, be requested to collaborate in the exchange of technical information concerning high tenacity rayon yarn and the development, manufacture and testing thereof.

Dated: August 23, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16048; Filed, Aug. 28, 1945;
10:07 a. m.]

WAR SHIPPING ADMINISTRATION.

"CAROLYN"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17-78th Congress).

Whereas on October 4, 1942 title to the vessel "Carolyn" (228294) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned,

for all purposes, as of the date of the original taking.

Dated: August 27, 1945.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 45-16114; Filed, Aug. 28, 1945;
11:47 a. m.]

"MI TOY"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress).

Whereas on June 19, 1942 title to the vessel "Mi Toy" (234709) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner.

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: August 27, 1945.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 45-16115; Filed, Aug. 28, 1945;
11:47 a. m.]